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SMALL BUSINESS content

2014 NORTH DAKOTA

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On the Cover: Lucia M. Valdez, owner of OMA Industries, LLC, located in McAllen, Texas, started her business with only a home office supported by a business website created by her teenage son. OMA was recognized as the Lower Rio Grande Valley Small Business Exporter of the Year in 2007, exporting industrial parts and fixtures to countries such as Mexico, Brazil and Luxemburg.



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THE VALUE *of* HEALTHCARE

Get your business check-up today!



SBA.gov/healthcare

- Learn what the Affordable Care Act (ACA) means for you and your small business, with information about key pieces of the law based upon the size of your business

Healthcare.gov

- Learn more about the new small business health insurance marketplaces, find coverage options for your employees and enroll in either your state or federal marketplace

BusinessUSA.gov/healthcare

- This new site includes a search tool to direct you to ACA resources based on a business's location, size and current insurance offerings

For more information, visit the above resources or contact your local SBA District Office.

Message From The District Director

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Rules For Success

Like today's small businesses, large corporate success stories started with only an entrepreneur and a dream.

Whether you are starting, operating or expanding a business, you are faced with many questions, challenges and opportunities. On behalf of the staff of SBA's North Dakota District Office, we welcome the opportunity to assist you with access to capital, management and technical counseling, training, and assistance in securing government contracts.

We hope that this Small Business Resource will serve as a reference for you to use time and again. Whether you need help in developing a business plan, learning how to register your business, finding a lender, locating a business counselor or discovering the world of exporting, this publication can steer you in the right direction. We have included helpful information about our many programs and services,

information about our resource partners – SCORE “Counselors to America’s Small Business,” the North Dakota Small Business Development Centers, and the Women’s Business Center – as well as information about other small business assistance available in your community.

We also invite you to visit our website at www.sba.gov/nd for up-to-date information about our programs, services and successes as well as other small business resources available locally.

We are excited about the opportunity to serve the people of North Dakota and wish you success in your endeavors!

Sincerely,

Michael J. Gallagher

*District Director of
SBA's North Dakota District Office*

Doing Business in North Dakota

The SBA helps business owners grow and expand their businesses every day.



THE NORTH DAKOTA DISTRICT OFFICE

The North Dakota District Office is responsible for the delivery of SBA's many programs and services. The District Director is Michael J. Gallagher. The District Office is located at 657 2nd Ave., Rm. 218, Fargo, ND 58102. Office hours are from 8:00 AM until 4:30 PM, Monday through Friday.

CONTACTING THE NORTH DAKOTA DISTRICT OFFICE

For program and service information, please contact the District Office at 701-239-5131 or at north.dakota@sba.gov.

For information on financing, please contact Alan Haut at 701-239-5131 ext. 209 or e-mail: alan.haut@sba.gov.

SERVICES AVAILABLE

Financial assistance for new or existing businesses through guaranteed loans made by area bank and non-bank lenders.

Free counseling, advice and information on starting, better operating or expanding a small business through the SCORE

"Counselors to America's Small Business", Small Business Development Centers (SBDC) and Women's Business Centers (WBC). They also conduct training events throughout the district - some require a nominal registration fee.

Assistance to businesses owned and controlled by socially and economically disadvantaged individuals through the Business Development Program.

A Women's Business Ownership Representative is available to assist women business owners. Please contact Dale Van Eckhout at 701-250-4303 or e-mail: dale.vaneckhout@sba.gov.

Special loan programs are available for businesses involved in international trade. Please contact Alan Haut at 701-239-5131 ext. 209 or e-mail: alan.haut@sba.gov.

A Veterans Affairs Officer is available to assist veterans. Please contact Thomas Linnertz at 701-239-5131 ext. 215 or e-mail: thomas.linnertz@sba.gov.

We Welcome Your Questions

For extra copies of this publication or questions please contact:

North Dakota District Office
P.O. Box 3086
Fargo, ND 58108-3086

Tel: 701-239-5131 Fax: 701-239-5645

Website: www.sba.gov/nd



COUNSELING

Getting Help to Start, Market and Manage Your Business



Every year, the U.S. Small Business Administration and its nationwide network of resource partners help millions of potential and existing small business owners start, grow and succeed.

Whether your target market is global or just your neighborhood, the SBA and its resource partners can help at every stage of turning your entrepreneurial dream into a thriving business.

If you're just starting out, the SBA and its resources can help you with business and financing plans. If you're already in business, you can use the SBA's resources to help manage and expand your business, obtain government contracts, recover from disaster, find foreign markets, and make your voice heard in the federal government.

You can access SBA information at www.sba.gov or visit one of our local offices for assistance.

SBA'S RESOURCE PARTNERS

In addition to our district offices, which serve every state and territory, the SBA works with a variety of local resource partners to meet your small business needs: SCORE chapters, Small Business Development Centers (SBDCs), and Women's Business Centers (WBCs). This partner network reaches into communities across America: More than 13,000 business counselors, mentors and trainers available through over 900 Small

Business Development Centers, 110 Women's Business Centers and 350 SCORE chapters. These professionals can help with writing a formal business plan, locating sources of financial assistance, managing and expanding your business, finding opportunities to sell your goods or services to the government, and recovering from disaster. To find your local district office or SBA resource partner, visit www.sba.gov/tools/local-assistance.

SCORE

SCORE is a national network of more than 13,000 entrepreneurs, business leaders and executives who volunteer as mentors to America's small businesses. SCORE leverages decades of experience from seasoned business professionals to help entrepreneurs to start and grow companies and to create jobs in local communities. SCORE does this by harnessing the passion and knowledge of individuals who have owned and managed their own businesses and want to share this "real world" expertise with you.

Found in more than 350 offices and 800 locations throughout the country, SCORE provides key services – both face-to-face and online – to busy entrepreneurs who are just getting started or are in need of a seasoned business professional as a sounding board for their existing business. As members of your community, SCORE mentors understand local business licensing rules, economic conditions and important business networks. SCORE can help you as they have done for more than 9 million clients by:

- Matching your specific needs with a business mentor
- Traveling to your place of business for an on-site evaluation
- Teaming with several SCORE mentors to provide you with tailored assistance in a number of business areas

Across the country, SCORE offers more than 10,000 local business training workshops and seminars ranging in topic and scope depending on the needs of the local business community. SCORE workshops cover all manner of business topics, including: an introduction to the fundamentals of a business plan, managing cash flow and marketing your business. For established businesses, SCORE offers more in-depth training in areas like customer service, hiring practices and home-based businesses.

For around-the-clock business advice and information on the latest business news and trends go to the SCORE website (www.score.org). More than 1,200 online mentors with over 150 business skill sets answer your questions about starting and running a business. In fiscal year 2012, SCORE mentors served 460,000 entrepreneurs.

For more information on SCORE and to get your own business mentor, visit www.sba.gov/score, www.SCORE.org or call 1-800-634-0245 for the SCORE office nearest you.

ON THE UPSIDE

It's true, there are a lot of reasons not to start your own business. But for the right person, the advantages of business ownership far outweigh the risks.

- You get to be your own boss.
- Hard work and long hours directly benefit you, rather than increasing profits for someone else.
- Earnings and growth potential are unlimited.
- Running a business will provide endless variety, challenge and opportunities to learn.

SCORE

www.score.org

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Bismarck, ND 58504
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score365@btinet.net

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fargoscore@scorevolunteer.org

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Grand Forks, ND 58201
701-746-5851 • 701-746-5748 Fax
score@gra.midco.net

1925 S. Broadway, Ste. 2
Minot, ND 58701
701-852-6883 • 701-839-3889 Fax
scoreminot@srt.com

**SMALL BUSINESS
DEVELOPMENT CENTERS**

The U.S. Small Business Administration's Small Business Development Centers (SBDC) mission is to build, sustain, and grow small businesses; as well as to promote small business development and enhance local

economies by creating businesses and fulfilling its mission of creating jobs.

The Small Business Development Centers, vital to SBA's entrepreneurial outreach, have been providing service to small businesses for more than 30 years. It is one of the largest professional small business management and technical assistance networks in the nation. With over 900 locations across the country, SBDCs offer existing and future entrepreneurs free one-on-one expert business advice and low-cost training by qualified small business professionals.

In addition to its core services, the SBDCs offer special focus areas such as green business technology, disaster recovery and preparedness, international trade assistance, veteran's assistance, technology transfer and regulatory compliance.

The program combines a unique combination of federal, state and private sector resources to provide, in every state and territory, the foundation for the economic growth of small businesses. The return on investment is demonstrated by the program's success during 2012.

- Assisted more than 14,300 entrepreneurs to start new businesses – equating to nearly 40 new business starts per day.
- Provided counseling services to more than 111,000 emerging entrepreneurs and over 101,000 existing businesses.
- Provided training services to approximately 332,000 clients.

The efficacy of the SBDC program has been validated by a nationwide impact study. Of the clients surveyed, more than 80 percent reported that the business assistance they received from the SBDC counselor was worthwhile. Similarly, more than 70 percent reported that SBDC guidance was beneficial in making the decision to start a business. More than 40 percent of long-term clients, those receiving five hours or more of counseling, reported an increase in sales and 38 percent reported an increase in profit margins.

For information on the SBDC program, visit www.sba.gov/sbdc.

"HOW WILL HEALTH REFORM AFFECT MY BUSINESS?"

It starts with **BLUE**



BOLDER SHADE OF BLUE

We have the answers and right advice to ensure your North Dakota business stays on track with health reform changes.

Your BCBSND account executive knows how health reform will affect your business. Contact your representative today.

Find more answers at BCBSND.com/healthreform

Blue Cross Blue Shield of North Dakota is an independent licensee of the Blue Cross & Blue Shield Association

Horizon Mutual Insurance Company

North Dakota Small Business Development Center

www.ndsbdc.org

Art Up Center

UND Center for Innovation
4200 James Ray Dr.
Grand Forks, ND 58203
701-213-8482
artup@ndsbdc.org

Belcourt Center

916 Chief Little Shell St.
Belcourt, ND 58316
701-477-3561

Bismarck Regional Center

1120 College Dr., Ste. 105
Bismarck, ND 58501
701-751-5865
bismarck@ndsbdc.org

Bowman Center

13 1/2 E. Divide
Bowman, ND 58623
701-523-5880

Crosby Center

300 N. Main St.
Crosby, ND 58730
701-965-6006

Devils Lake Center

North Central Planning Council
417 N.E. 5th St.
Devils Lake, ND 58301
701-662-8131

Dickinson Regional Center

DSU Strom Center
1679 W. 6th Ave.
Dickinson, ND 58601
701-483-2470
dickinson@ndsbdc.org

Fargo Regional Center

1351 Page Dr. S., Ste. 203
Fargo, ND 58103
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Grand Forks Regional Center

UND Center for Innovation
4200 James Ray Dr.
Grand Forks, ND 58202
701-952-8060
grandforks@ndsbdc.org

Jamestown Regional Center

South Central Dakota Reg Council
120 S.E. 2nd St.
Jamestown, ND 58401
701-952-8060
jamestown@ndsbdc.org

Lead Center

1200 Memorial Hwy.
Bismarck, ND 58504
701-328-5865
leadcenter@ndsbdc.org



Lewis & Clark Center

L&C Regional Development Council
200 N.W. 1st Ave., Ste. 100
Mandan, ND 58554
701-667-7620

McLean/Sheridan Center

79 Lincoln Ave.
Underwood, ND 58576
701-442-9455

Minot Regional Center

1925 S Broadway, Ste. 2
Minot, ND 58701
701-857-8211
minot@ndsbdc.org

Procurement Center

UND Center for Innovation
4200 James Ray Dr.
Grand Forks, ND 58203
701-738-4850 • 701-738-4849 Fax
procurement@ndsbdc.org

Tri-County Center

22 E. Broadway, 2nd Fl.
Williston, ND 58801
701-577-1358

Wahpeton Center

ND State College of Science
228 Horton Hall, 800 N. 6th St.
Wahpeton, ND 58076
701-671-2682

Watford City Center

201 N.W. 5th St.
Watford City, ND 58854
701-444-2804

Williston Regional Center

Williston State College
1410 University Ave.
Williston, ND 58801
701-774-4279
williston@ndsbdc.org

WOMEN'S BUSINESS CENTERS

The SBA's Women Business Center (WBC) program is a network of over 100 community-based centers that provide business training, counseling, coaching, mentoring and other assistance geared toward women, particularly those who are socially and economically disadvantaged. WBCs are located in nearly every state and U.S. territory including the District of Columbia and the territories of Puerto Rico and American Samoa. They are partially funded through a cooperative agreement with the SBA.

To meet the needs of women entrepreneurs, WBCs offer services at convenient times and locations, including evenings and weekends. WBCs are located within non-profit host organizations that offer a wide variety of services in addition to the services provided by the WBC. Many of the WBCs also offer training and counseling and provide materials in different languages in order to meet the diverse needs of the communities they serve.

WBCs often deliver their services through long-term training or group counseling, both of which have shown to be effective. WBC training courses are often free or are offered for a small fee. Some centers will also offer scholarships based on the client's needs.

While most WBCs are physically located in one designated location, a number of WBCs also provide courses and counseling via the Internet, mobile classrooms and satellite locations. WBCs have a track record of success. In fiscal year 2012, the WBC program counseled and trained over 136,000 clients, creating local economic growth and vitality. In addition, WBCs helped entrepreneurs access more than

\$40 million dollars in capital. Based on a 2010 Impact Study, of the WBC clients that have received three or more hours of counseling, 15 percent indicated that the services led to hiring new staff, 34 percent indicated that the services led to an increased profit margin, and 47 percent indicated that the services led to an increase in sales.

In addition, the WBC program has taken a lead in preparing women business owners to apply for the Women-Owned Small Business (WOSB) Federal Contract program that authorizes contracting officers to set aside certain federal contracts for eligible women-owned small businesses or economically disadvantaged women-owned small businesses. For more information on the program, visit www.sba.gov/wosb.

To find the nearest SBA WBC, visit www.sba.gov/women.

Center For Technology & Business

3333 E. Broadway Ave., Ste. 1219
Bismarck, ND 58501
701-223-0707 • 701-223-2507 Fax
www.trainingnd.com

EMERGING LEADERS INITIATIVE

The SBA's Emerging Leaders Initiative is currently hosted in 27 markets across the country using a nationally demonstrated curriculum that supports the growth and development of small firms that have substantial potential for expansion and community impact. A competitive selection process results in company executives participating in high-level training and peer-networking sessions

led by professional instructors.

Post-training, economic impact results from responding executives from the 2009 – 2011 cohorts indicate:

- Significant revenue growth with respondents averaging \$1.8M year-to-year increases (67 percent increase in annual revenue on average).
- Creation of 908 new full time positions; an average job creation rate of 1.9 jobs per business.
- Nearly half of the participants secured federal, state, local and tribal contracts with a cumulative total of \$330 million. This figure has increased each year since the initiative's inception.
- Respondents accessed \$26,381,044 in new financing (excluding lines of credit) since graduating from the program and implementing their growth plans, a 27 percent increase compared to the previous year.

To find out more about this executive-level training opportunity, please visit www.sba.gov/emergingleaders for host cities, training schedules and selection criteria.

SBA'S ONLINE TOOLS AND TRAINING

SBA's Online Learning Center is a virtual campus complete with free online courses, workshops, podcasts, learning tools and business-readiness assessments.

Key Features of the SBA's Online Learning Center:

Training is available anytime and anywhere — all you need is a computer (or mobile device) with Internet access.

- More than 30 free online courses and workshops available.
- Templates and samples to get your business planning underway.
- Online, interactive assessment tools are featured and used to direct clients to appropriate training.

Course topics include tutorials on writing a business plan, financing strategies that include SBA lending programs, mastering overseas markets through exporting, public sector procurement tactics, and specialty material for veterans, young entrepreneurs, and women business owners. This robust portal also includes video content, e-books, templates and articles

Visit www.sba.gov/training for these free resources.

SBA'S CLUSTER INITIATIVE

Every small business must effectively connect into the key relationships necessary to drive success in its particular industry or market sector. Regional Innovation Clusters act as a networking hub to connect small businesses in a particular industry sector and geographic region with other business innovators in the same sector and with specialized suppliers, research institutions, large prime customers and investors who also operate in that sector. In addition, market success requires small businesses to know their customers and target their product development dollars efficiently. Therefore, through intensive, industry-specific technical assistance, our Clusters help small business innovators commercialize promising technologies needed by government and industry buyers in that particular sector. And then, through showcasing, networking and "demonstration events," they help get these small businesses and their products in front of investment and other funding sources, research institutions and customers/buyers in order to bring products to market.

Across the country, our resource partners work with our regional innovation Clusters: The resource partners provide the businesses with information and coaching on the key building blocks of business success, while the Cluster experts help them with the highly technical product development and relationship-building assistance necessary to get and keep customers and investors in their particular market sector (such as smart-grid, fuel cell energy storage, solar cells, imaging, aerospace, and agricultural processing technologies and networks).

For more information on SBA's Cluster Initiative, go to www.sba.gov/clusters.



AWARD WINNERS

2013 North Dakota Small Business Person of the Year

Kari Warberg
Earth-Kind, Inc.
Bismarck, ND

2013 North Dakota Small Business Exporter of the Year

Tamara Sommerville
Posi Lock Puller, Inc.
Cooperstown, ND

REACHING UNDERSERVED COMMUNITIES

The SBA also offers a number of programs specifically designed to meet the needs of the underserved communities.

WOMEN BUSINESS OWNERS

Women entrepreneurs are changing the face of America's economy. In the 1970s, women owned less than 5 percent of the nation's businesses.

Today, they are majority owners of about a third of the nation's small businesses and are at least equal owners of about half of all small businesses. SBA serves women entrepreneurs nationwide through its various programs and services, some of which are designed especially for women.

The SBA's Office of Women's Business Ownership (OWBO) serves as an advocate for women-owned businesses. The office oversees a nationwide network over 100 Women's Business Centers that provide business training, counseling and mentoring geared specifically to women, especially those who are socially and economically disadvantaged. The program is a public-private partnership with locally-based nonprofits.

Women's Business Centers serve a wide variety of geographic areas, population densities, and economic environments, including urban, suburban, and rural. Local economies vary from depressed to thriving, and range from metropolitan areas to entire states. Each Women's Business Center tailors its services to the needs of its individual community, but all offer a variety of innovative programs, often including courses in different languages. They provide training in finance, management, and marketing, as well as access to all of the SBA's financial and procurement assistance programs.

Center for Technology & Business

3333 E. Broadway Ave., Ste. 1219
Bismarck, ND 58501
701-223-0707 • 701-223-2507 Fax
www.trainingnd.com

As SBA's North Dakota Women's Business Center, the Center for Technology & Business provides programs to support women entrepreneurs from business start-up to expansion through a variety of services and resources.

VETERAN BUSINESS OWNERS

The Office of Veterans Business Development (OVBD), established with Public Law 106-50, has taken strides in expanding assistance to veteran, service-disabled veteran small business owners and reservists by ensuring they have access to SBA's full-range of business/technical assistance programs and services, and that they receive special consideration for SBA's entrepreneurial programs and resources.

The SBA's Veterans Office provides funding and collaborative assistance for a number of special initiatives targeting local veterans, service-disabled veterans, and Reserve Component members. These initiatives include Veterans Business Outreach Centers (VBOCs), the business assistance tools –Balancing Business and Deployment, and Getting Veterans Back to Business, which includes interactive CD ROMs for reservists to help prepare for mobilization and/or reestablishment of businesses upon return from active duty.

The agency offers special assistance for small businesses owned by activated Reserve and National Guard members. Any self-employed Reserve or Guard member with an existing SBA loan can request from their SBA lender or SBA district office loan payment deferrals, interest rate reductions and other relief after they receive their activation orders. In addition, the SBA offers special low-interest-rate financing to small businesses when an owner or essential employee is called to active duty. The Military Reservist Economic Injury Disaster Loan Program (MREIDL) provides loans up to \$2 million to eligible small businesses to cover operating costs that cannot be met due to the loss of an essential employee called to active duty in the Reserves or National Guard.

Each of the SBA's 68 District Offices also has a designated veteran's business development officer. These local points-of-contact assist veteran small business owners/entrepreneurs with starting, managing and growing successful small firms. Yearly, OVBD reaches thousands of veterans, Reserve component members, transitioning service members and others who are – or who want to become – entrepreneurs and

small business owners. In fiscal year 2012, the number of veterans assisted through OVBD programs exceeded 135,000. For more information about OVBD, please visit www.sba.gov/vets.

NATIONAL BOOTS TO BUSINESS INITIATIVE

The aptly named Operation Boots to Business program (B2B) builds on SBA's role as a national leader in entrepreneurship training. B2B aims to provide exposure to entrepreneurship to the 250,000 service members who transition from the military each year. The B2B two-day Entrepreneurship Training is an optional track in the Department of State's revitalized Transition Goals, Plans and Success (GPS) program -- formerly called Transition Assistance Program/TAP -- and is conducted on military installations. Through B2B, SBA's extensive network of resource partners will collaboratively deliver face-to-face introductory entrepreneurship training, developed in collaboration with Syracuse University's Institute for Veterans and Military Families (IVMF). For those service members who complete the two-day B2B class and are interested in more detailed and intensive training, SBA offers a continuation of B2B via an 8-week online business plan training course.



REACHING UNDERSERVED COMMUNITIES



The 8-week online curriculum was also developed in collaboration with and is delivered by IVMF. Of course, counselors and mentors from SBA's resource partner network remain available to work with service members throughout B2B and thereafter as these service members start and grow their businesses.

B2B piloted at several military installations in 2012 and is currently being implemented nationwide during 2013. For more information about B2B, please visit www.sba.gov/bootstobusiness.

CENTER FOR FAITH-BASED AND NEIGHBORHOOD PARTNERSHIPS

Faith-Based and Neighborhood organizations know their communities, and they have earned the trust of the communities they serve. As a result, they are uniquely positioned to build awareness of programs that encourage entrepreneurship, economic growth and job creation.

The SBA is committed to reaching out to faith-based and community organizations to enlist their support in informing their congregants, members and neighbors about SBA's programs. In particular, faith-based and community non-profit organizations can provide a local financing option for entrepreneurs by becoming SBA Microloan Intermediaries. An SBA Microloan Intermediary often acts as a bank for entrepreneurs and small businesses that might otherwise be unable to access capital.

NATIVE AMERICAN BUSINESS DEVELOPMENT

The SBA Office of Native American Affairs (ONAA) ensures American Indians, Alaska Natives and Native Hawaiians seeking to create, develop and expand small businesses have full access to the necessary business development and expansion tools available through the agency's entrepreneurial development, lending, and contracting programs.

The office provides a network of training (including the online tool "Small Business Primer: Strategies for Growth"), initiatives that include a Native American Entrepreneurial Empowerment Workshop and Native American Emerging Leaders (formerly e200). ONAA also is responsible for consulting with tribal governments prior to finalizing SBA policies that may have tribal implications.

Visit www.sba.gov/naa for more information.

North Dakota/South Dakota Minority Business Development Agency

United Tribes Educational and Technical College
3315 University Dr., Bldg. 61
Bismarck, ND 58504-7596
701-255-3285 ext. 1359
bmaxon@uttc.edu
www.mbda.gov/businesscenters/bismarck

The North Dakota/South Dakota Minority Business Development Agency is operated by the United Tribes Technical College and is part of a national network that provides minority

entrepreneurs and businesses with the expertise and tools they need to compete globally and create good paying jobs.

Bureau of Indian Affairs

Great Plains Regional Office
115 4th Ave. S.E. Suite 400
Aberdeen, SD 57401-4382
605-226-7343

VETERANS BUSINESS OUTREACH CENTERS

The Veterans Business Outreach Program (VBOP) is designed to provide entrepreneurial development services such as business training, counseling and mentoring, and referrals for eligible veterans owning or considering starting a small business. The SBA has 15 organizations participating in this cooperative agreement and serving as Veterans Business Outreach Centers (VBOC) across the country. Services provided by VBOC's include: pre-business plan workshops, concept assessments, business plan preparations, comprehensive feasibility analysis, entrepreneurial training and counseling, mentorship, and other business-development related services.

VBOCs also provide assistance and training in such areas as international trade, franchising, Internet marketing, accounting, etc. For a VBOC directory, please visit www.sba.gov/vets.



ARE YOU RIGHT FOR SMALL BUSINESS OWNERSHIP?

Most new business owners who succeed have planned for every phase of their success. Thomas Edison, the great American inventor, once said, "Genius is 1 percent inspiration and 99 percent perspiration." That same philosophy also applies to starting a business.

First, you'll need to generate a little bit of perspiration deciding whether you're the right type of person to start your own business.

IS ENTREPRENEURSHIP FOR YOU?

There is simply no way to eliminate all the risks associated with starting a small business, but you can improve your chances of success with good planning, preparation and insight. Start by evaluating your strengths and weaknesses as a potential owner and manager of a small business. Carefully consider each of the following questions:

- **Are you a self-starter?** It will be entirely up to you to develop projects, organize your time, and follow through on details.
- **How well do you get along with different personalities?** Business owners need to develop working relationships with a variety of people including customers, vendors, staff, bankers, employees and professionals such as lawyers, accountants, or consultants. Can you deal with a demanding client, an unreliable vendor, or a cranky receptionist if your business interests demand it?
- **How good are you at making decisions?** Small business owners are required to make decisions constantly — often quickly, independently, and under pressure.
- **Do you have the physical and emotional stamina to run a business?** Business ownership can be exciting, but it's also a lot of work. Can you face six or seven 12-hour workdays every week?
- **How well do you plan and organize?** Research indicates that poor planning is responsible for most business failures. Good organization — of financials, inventory, schedules, and production — can help you avoid many pitfalls.
- **Is your drive strong enough?** Running a business can wear you down emotionally. Some business owners burn out quickly from having to carry all the responsibility for the success of their business on their

own shoulders. Strong motivation will help you survive slowdowns and periods of burnout.

- **How will the business affect your family?** The first few years of business start-up can be hard on family life. It's important for family members to know what to expect and for you to be able to trust that they will support you during this time. There also may be financial difficulties until the business becomes profitable, which could take months or years. You may have to adjust to a lower standard of living or put family assets at risk.

Once you've answered these questions, you should consider what type of business you want to start. Businesses can include franchises, at-home businesses, online businesses, brick-and-mortar stores or any combination of those.

FRANCHISING

There are more than 3,000 business franchises. The challenge is to decide on one that both interests you and is a good investment. Many franchising experts suggest that you comparison shop by looking at multiple franchise opportunities before deciding on the one that's right for you.

Some of the things you should look at when evaluating a franchise: historical profitability, effective financial management and other controls, a good image, integrity and commitment, and a successful industry.

In the simplest form of franchising, while you own the business, its operation is governed by the terms of the franchise agreement. For many, this is the chief benefit for franchising. You are able to capitalize on a business format, trade name, trademark and/or support system provided by the franchisor. But you operate as an independent contractor with the ability to make a profit or sustain a loss commensurate with your ownership.

If you are concerned about starting an independent business venture, then franchising may be an option for you. Remember that hard work, dedication and sacrifice are key elements in the success of any business venture, including a franchise.

Visit www.sba.gov/franchise for more information.

HOME-BASED BUSINESSES

Going to work used to mean traveling from home to a plant, store or office. Today, many people do some or all their work at home.

Getting Started

Before diving headfirst into a home-based business, you must know why you are doing it. To succeed, your business must be based on something greater than a desire to be your own boss. You must plan and make improvements and adjustments along the road.

Working under the same roof where your family lives may not prove to be as easy as it seems. One suggestion is to set up a separate office in your home to create a professional environment.

Ask yourself these questions:

- Can I switch from home responsibilities to business work easily?
- Do I have the self-discipline to maintain schedules while at home?
- Can I deal with the isolation of working from home?

Legal Requirements

A home-based business is subject to many of the same laws and regulations affecting other businesses.

Some general areas include:

- **Zoning regulations.** If your business operates in violation of them, you could be fined or shut down.
- **Product restrictions.** Certain products cannot be produced in the home. Most states outlaw home production of fireworks, drugs, poisons, explosives, sanitary or medical products and toys. Some states also prohibit home-based businesses from making food, drink or clothing.

Be sure to consult an attorney and your local and state departments of labor and health to find out which laws and regulations will affect your business. Additionally, check on registration and accounting requirements needed to open your home-based business. You may need a work certificate or license from the state. Your business name may need to be registered with the state. A separate business telephone and bank account are good business practices.

Also remember, if you have employees you are responsible for withholding income and Social-Security taxes, and for complying with minimum wage and employee health and safety laws.

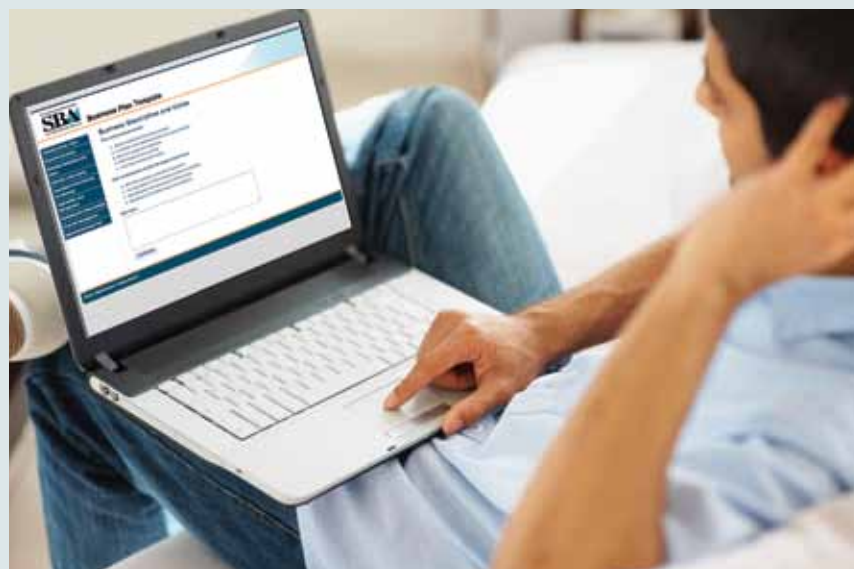
After you've thought about what type of business you want, the next step is to develop a business plan. Think of the business plan as a roadmap with milestones for the business. It begins as a pre-assessment tool to determine profitability and market share, and then expands as an in-business assessment tool to determine success, obtain financing and determine repayment ability, among other factors.

Creating a comprehensive business plan can be a long process, and you need good advice. The SBA and its resource partners, including Small Business Development Centers, Women's Business Centers, Veterans Business Outreach Centers, and SCORE, have the expertise to help you craft a winning business plan. The SBA also offers online templates to get you started.

In general, a good business plan contains:

Introduction

- Give a detailed description of the business and its goals.
- Discuss ownership of the business and its legal structure.
- List the skills and experience you bring to the business.
- Discuss the advantages you and your business have over competitors.



Marketing

- Discuss the products and services your company will offer.
- Identify customer demand for your products and services.
- Identify your market, its size and locations.
- Explain how your products and services will be advertised and marketed.
- Explain your pricing strategy.

Financial Management

- Develop an expected return on investment and monthly cash flow for the first year.

- Provide projected income statements and balance sheets for a two-year period.
- Discuss your break-even point.
- Explain your personal balance sheet and method of compensation.
- Discuss who will maintain your accounting records and how they will be kept.
- Provide "what if" statements addressing alternative approaches to potential problems.

Operations

- Explain how the business will be managed day-to-day.
- Discuss hiring and personnel procedures.
- Discuss insurance, lease or rent agreements.
- Account for the equipment necessary to produce your goods or services.
- Account for production and delivery of products and services.

Concluding Statement

Summarize your business goals and objectives and express your commitment to the success of your business. Once you have completed your business plan, review it with a friend or business associate and professional business counselor like SCORE, WBC or SBDC representatives, SBA district office economic development specialists or veterans' business development specialists.

Remember, the business plan is a flexible document that should change as your business grows.



CAPITAL

Financing Options to Start or Grow Your Business



Many entrepreneurs need financial resources to start or expand a small business and must combine what they have with other sources of financing. These sources can include family and friends, venture-capital financing, and business loans.

This section of the Small Business Resource guide discusses SBA's primary business loan and equity financing programs. These are: the 7(a) Loan Program, the Certified Development Company or 504 Loan Program, the Microloan Program and the Small Business Investment Company Program. The distinguishing features for these programs are the total dollar amounts that can be borrowed, the type of lenders who can provide these loans, the uses for the loan proceeds, and the terms placed on the borrower. The SBA does not offer grants to individual business owners to start or grow a business.

SBA BUSINESS LOANS

If you are contemplating a business loan, familiarize yourself with the SBA's business loan programs to see if they may be a viable option. The SBA has a variety of loan programs which are distinguished by their different uses of the loan proceeds, their dollar amounts, and the requirements placed on the actual lenders. The three principal

players in most of these programs are the applicant small business, the lender and the SBA. The agency does not actually provide the loan, rather they guaranty a portion of the loan provided by a lender (except for microloans). The lender can be a regulated bank or credit union, or a community based lending organization.

The business should have its business plan prepared before it applies for a loan. This plan should explain what resources will be needed to accomplish the desired business purpose including the associated costs, the applicants' contribution, planned uses for the loan proceeds, collateral, and, most important, an explanation of how the business will be able to repay the loan in a timely manner.

The lender will analyze the application to see if it meets the lender's criteria and SBA's requirements. The SBA will look to the lender to do much, if not all, of the analysis before it provides its guaranty on the lender's loan. In the case of microlenders, SBA loans these intermediaries funds at favorable rates so they can re-lend to businesses with financing needs up to \$50,000. The SBA's business loan guaranty programs provide a key source of financing for viable small businesses that have real potential but cannot qualify for credit on reasonable terms by themselves.

7(a) LOAN PROGRAM

The 7(a) Loan program is the SBA's primary business loan program. It is the agency's most frequently used non-disaster financial assistance program because of its flexibility in loan structure, variety of uses for the loan proceeds and availability. The program has broad eligibility requirements and credit criteria to accommodate a wide range of financing needs.

The business loans that SBA guarantees do not come directly from the agency, but rather from banks and other approved lenders. The loans are funded by these organizations and they make the decisions to approve or deny the applicants' request for financial assistance.

The SBA guaranty reduces the lender's risk of borrower non-payment by providing a guaranty on a percentage of the total loan. If the borrower defaults, the lender can request the SBA to pay the lender that percentage of the outstanding balance the agency guaranteed. This allows the lender to recover a portion of the defaulted debt from the SBA if the borrower can't make the payments. The borrower is still obligated for the full amount.

To qualify for an SBA loan, a small business must meet the lender's criteria and the 7(a) requirements. In addition, the lender must certify that it would not provide this loan under the proposed terms and conditions without an SBA guaranty. If the SBA is going to provide a lender with a guaranty, the applicant must be eligible and creditworthy and the loan structured under conditions acceptable to the SBA.

Percentage of Guaranty and Loan Maximums

The SBA only guarantees a portion of any particular 7(a) loan so each loan will also have an unguaranteed portion, giving the lender a certain amount of exposure and risk on each loan. The percentage the SBA guarantees depends on either the dollar amount or the program the lender uses to obtain its guaranty. For loans of \$150,000 or less the SBA generally guarantees as much as 85 percent and for loans over \$150,000 the SBA generally provides

a guaranty of up to 75 percent. Loans made under the SBAExpress program, which is discussed later in this section, have a 50 percent guaranty.

The maximum 7(a) loan amount is \$5 million and there is no minimum.

Interest Rates and Fees

The actual interest rate for a 7(a) loan guaranteed by the SBA is negotiated between the applicant and lender and is subject to the SBA maximums.

Both fixed and variable interest rate structures are available. The maximum rate comprises two parts, a base rate and an allowable spread. There are three acceptable base rates (Wall Street Journal Prime*, London Interbank One Month Prime plus 3 percent, and an SBA Peg Rate). Lenders are allowed to add an additional spread to the base rate to arrive at the final rate. For loans with maturities of less than seven

years, the maximum spread will be no more than 2.25 percent. For loans with maturities of seven years or more, the maximum spread will be 2.75 percent. The spread on loans under \$50,000 and loans processed through Express procedures have higher maximums.

Loans guaranteed by the SBA are assessed a guaranty fee. This fee is based on the loan's maturity and the dollar amount guaranteed, not the

What to Take to the Lender

Documentation requirements will vary depending upon the purpose of the loan. Contact your lender for the information you must supply.

Common requirements include the following:

- Purpose of the loan
- History of the business
- Financial statements for three years (existing businesses)
- Schedule of term debts (existing businesses)
- Aging of accounts receivable and payable (existing businesses)
- Projected opening-day balance sheet (new businesses)
- Lease details
- Amount of investment in the business by the owner(s)
- Projections of income, expenses and cash flow as well as an explanation of the assumptions used to develop these projections
- Personal financial statements on the principal owners
- Resume(s) of the principal owners and managers.

How the 7(a) Program Works

Small Business applicants submit their loan application to a lender for the initial review. The lender will generally review the credit merits of the request before deciding if they will make the loan themselves or if they will need an SBA guaranty. If a guaranty is needed, the lender will also review the application for eligibility. The applicant should be prepared to complete some additional documents before the lender sends their request for guaranty to the SBA. Applicants who feel they need more help with the process should contact their local SBA district office or one of the SBA's resource partners for assistance.

There are several ways a lender can apply for a 7(a) guaranty from the SBA. The main differences between these methods are related

to the experience the lender has in requesting guarantees from SBA, the documentation the lender provides to SBA, the amount of review the SBA conducts upon receiving the request, the amount of the loan and the lender responsibilities in case the loan defaults and the business' assets must be liquidated. The different methods are:

- Standard 7(a) Guaranty
- Certified Lender Program
- Preferred Lender Program
- SBA Express
- Patriot Express
- Export Express
- Small Loan Advantage

When lenders request guarantees using Standard, Certified, or Preferred processing methods, the applicant fills out SBA Form 4, and the lender completes SBA Form 4-I. The Form 4 requires the applicant to fully explain what they intend to do with the money and explain how they will repay the loan. The Form 4-I requires the lender to explain their analysis of the eligibility and credit merits of the request. When lenders use Express or Advantage procedures to request guarantees, the loan amounts are smaller and the information the applicant has to provide SBA is reduced, but the lender can still ask the applicant for as much detail as they believe is necessary for them to make their decision. Through Express and Advantage procedures the lender also provides SBA with less information about their credit analysis but the lender still has to conduct their due diligence.

When the SBA receives a request for guaranty using Standard or Certified procedures, it either reanalyzes or reviews the lender's eligibility and credit analysis before deciding to approve or reject the request. For requests processed through the Preferred Lender Program or Express

programs, the lender is delegated the authority to make the credit decision without the SBA's concurrences. Requests processed through Advantage procedures are a hybrid of both.

By guaranteeing a loan, the SBA assures the lender that, in the event the borrower does not repay the loan, the government will reimburse the lending institution for a percentage of the amount owed. By providing this guaranty, the SBA is able to help tens of thousands of small businesses every year get financing they might not otherwise obtain.

When an SBA guaranty is approved, the lender is notified and they will work with the applicant to make sure the terms and conditions designed for the specific loan are met before closing the loan, disbursing the funds, and assuming responsibility for collection and general servicing. The borrower makes loan payments directly to the lender. As with any loan, the borrower is obligated to repay the full amount of the loan in a timely manner.

What the SBA Looks for:

- Ability to repay the loan on time from the projected operating cash flow;
- Owners and operators who are of good character;
- Feasible business plan;
- Management expertise and commitment necessary for success;
- Sufficient funds, including the SBA guaranteed loan, to operate the business on a sound financial basis (for new businesses, this includes the resources to meet start-up expenses and the initial operating phase);
- Adequate equity invested in the business; and
- Sufficient collateral to secure the loan or all available collateral if the loan cannot be fully secured.

total loan amount. The guaranty fee is initially paid by the lender and then passed on to the borrower at closing. The funds to reimburse the lender can be included in the overall loan proceeds.

On any loan with a maturity of one year or less, the fee is just 0.25 percent of the guaranteed portion of the loan. On loans with maturities of more than one year, the normal guaranty fee is 2 percent of the SBA guaranteed portion on loans up to \$150,000; **3 percent on loans over \$150,000 but not more than \$700,000; and 3.5 percent on loans over \$700,000. There is also an additional fee of 0.25 percent on any guaranteed portion over \$1 million.

** All references to the prime rate refer to the base rate in effect on the first business day of the month the loan application is received by the SBA.*

***For all SBA-guaranteed loans of \$150,000 or less that are approved between October 1, 2013 and September 30, 2014, the guaranty fee will be 0%.*

7(a) Loan Maturities

The SBA's loan programs are generally intended to encourage longer term small-business financing, but actual loan maturities are based on the ability to repay, the purpose of the loan proceeds and the useful life of the assets financed. However, maximum loan maturities have been established: 25 years for real estate; up to 10 years for equipment (depending on the useful life of the equipment); and generally up to seven years for working capital. Short-term loans and revolving lines of credit are also available through the SBA to help small businesses meet their short-term and cyclical working capital needs.

Structure

Most 7(a) term loans are repaid with monthly payments of principal and interest. For fixed-rate loans the payments stay the same because the interest rate is constant, whereas for variable rate loans the lender can require a different payment amount when the interest rates change. Applicants can request that the lender establish the loan with interest-only payments during the start-up and expansion phases (when eligible) to allow the business time to generate income before it starts making full loan payments. Balloon payments or call provisions are not allowed on any 7(a) loan. The lender may not charge a prepayment penalty if the loan is paid off before maturity but the SBA will

charge the borrower a prepayment fee if the loan has a maturity of 15 or more years and is pre-paid during the first three years.

Collateral

The SBA expects every 7(a) loan to be fully secured, but the SBA will not decline a request to guaranty a loan if the only unfavorable factor is insufficient collateral, provided all available collateral is offered. What these two policies mean is that every SBA loan is to be secured by all available assets (both business and personal) until the recovery value equals the loan amount or until all assets have been pledged to the extent that they are reasonably available. Personal guaranties are required from all the principal owners of the business. Liens on personal assets of the principals may be required.

Eligibility

7(a) loan eligibility is based on four different factors. The first is size, as all loan recipients must be classified as "small" by the SBA. The basic size standards are outlined below. A more in-depth listing of standards can be found at www.sba.gov/size.

SBA Size Standards have the following general ranges:

- Manufacturing — from 500 to 1,500 employees
- Wholesale Trades — Up to 100 employees
- Services — \$2 million to \$35.5 million in average annual receipts
- Retail Trades — \$7 million to \$35.5 million in average annual receipts
- Construction — \$7 million to \$33.5 million in average annual receipts
- Agriculture, Forestry, Fishing, and Hunting — \$750,000 to \$17.5 million in average annual receipts

There is an alternate size standard for businesses that do not qualify under their industry size standards for SBA funding – tangible net worth (\$15 million or less) and average net income (\$5 million or less for two years). This new alternate makes more businesses eligible for SBA loans and applies to SBA non-disaster loan programs, namely its 7(a) Business Loans and Development Company programs.

Nature of Business

The second eligibility factor is based on the nature of the business and the process by which it generates income or the customers it serves. The SBA has

general prohibitions against providing financial assistance to businesses involved in such activities as lending, speculating, passive investment, pyramid sales, loan packaging, presenting live performances of a prurient nature, businesses involved in gambling and any illegal activity.

The SBA also cannot make loan guaranties to non-profit businesses, private clubs that limit membership on a basis other than capacity, businesses that promote a religion, businesses owned by individuals incarcerated or on probation or parole, municipalities, and situations where the business or its owners previously failed to repay a federal loan or federally assisted financing.

Use of Proceeds

The third eligibility factor is use of proceeds. 7(a) proceeds can be used to purchase machinery, equipment, fixtures, supplies, make improvements to land and/or buildings that will be occupied by the subject applicant business.

Proceeds can also be used to:

- Expand or renovate facilities;
- Acquire machinery, equipment, furniture, fixtures and leasehold improvements;
- Finance receivables and augment working capital;
- Finance seasonal lines of credit;
- Acquire businesses;
- Start businesses;
- Construct commercial buildings; and
- Refinance existing debt under certain conditions.

SBA 7(a) loan proceeds cannot be used for the purpose of making investments. SBA proceeds cannot be used to provide funds to any of the owners of the business except for ordinary compensation for actual services provided.

Miscellaneous Factors

The fourth factor involves a variety of requirements such as SBA's credit elsewhere test and utilization of personal assets requirements, where the business and its principal owners must use their own resources before getting a loan guaranteed by the SBA. It also includes the SBA's anti-discrimination rules and limitations on lending to agricultural enterprises because there are other agencies of the federal government with programs to fund such businesses.

Generally, SBA loans must meet the following criteria:

- Every loan must be for a sound business purpose;
- There must be sufficient invested equity in the business so it can operate on a sound financial basis;
- There must be a potential for long-term success;
- The owners must be of good character and reputation; and
- All loans must be so sound as to reasonably assure repayment.

For more information, go to www.sba.gov/apply.

SPECIAL PURPOSE 7(a) LOAN PROGRAMS

The 7(a) program is the most flexible of the SBA's lending programs. Over time, the agency has developed several variations to the basic 7(a) program in order to address specific financing needs for particular types of small businesses. The general distinguishing feature between these loan types is their use of proceeds. These programs allow the proceeds to be used in ways that are not otherwise permitted in a basic 7(a) loan. These special purpose programs are not necessarily for all businesses but may be very useful to some small businesses. They are generally governed by the same rules, regulations, fees, interest rates, etc., as the basic 7(a) loan. Lenders can advise you of any variations. The Special Purpose Loans include:

International Trade Loan Program

The SBA's International Trade Loan (ITL) is designed to help small businesses enter and expand into international markets and, when adversely affected by import competition, make the investments necessary to better compete. The ITL offers a combination of fixed asset, working capital financing and debt refinancing with the SBA's maximum guaranty--90 percent--on the total loan amount. The maximum loan amount is \$5 million in total financing.

Use of Proceeds

- For the facilities and equipment portion of the loan, proceeds may be used to acquire, construct, renovate, modernize, improve or expand facilities or equipment in the U.S. to produce goods or services involved in international trade, including expansion due to bringing production back from overseas if the borrower exports to at least one market.

- Working capital is an allowable use of proceeds under the ITL.
- Proceeds may be used for the refinancing of debt not structured on reasonable terms and conditions, including any debt that qualifies for refinancing under the standard SBA 7(a) Loan Program.

Loan Term

- Maturities on the working capital portion of the ITL are typically limited to 10 years.
- Maturities of up to 10 years on equipment unless the useful life exceeds 10 years.
- Maturities of up to 25 years are available for real estate.
- Loans with a mixed use of fixed-asset and working-capital financing will have a blended-average maturity.

Interest Rates

Lenders may charge between 2.25 to 2.75 percent above the prime rate (as published in the Wall Street Journal) depending upon the maturity of the loan. Interest rates on loans of \$50,000 and less can be slightly higher.

Exporter Eligibility

- Applicants must meet the same eligibility requirements as for the SBA's standard 7(a) Loan Program.
- Applicants must also establish that the loan will allow the business to expand or develop an export market or, demonstrate that the business has been adversely affected by import competition and that the ITL will allow the business to improve its competitive position. In addition, "indirect export" is an acceptable eligibility criterion for the ITL. Indirect exports occur when the borrower's customer is a U.S.-based business that might incorporate the borrower's product into a final product being exported or an Export Trading Company that purchases a product to be exported. The borrower would need documentation from the exporter-of-record that its product, is, in fact, being exported.

Foreign Buyer Eligibility

Foreign buyers must be located in those countries wherein the Export-Import Bank of the U.S. is not prohibited from providing financial assistance.

Collateral Requirements

- Only collateral located in the U.S. (including its territories and possessions) is acceptable.

- First lien on property or equipment financed by the ITL or on other assets of the business is required. However, an ITL can be secured by a second lien position if the SBA determines there is adequate assurance of loan payment.
- Additional collateral, including personal guaranties and those assets not financed with ITL proceeds, may be appropriate.

How to Apply

- A small business seeking an ITL must apply to an SBA-participating lender. The lender will submit a completed Application for Business Loan (SBA Form 4), including all exhibits, to the SBA. Visit www.sba.gov to find your local SBA district office for a list of participating lenders.
- A small business wanting to qualify as adversely impacted from import competition must submit supporting documentation that explains the impact, and a plan with projections that explains how the loan will improve the business' competitive position.
- A small business expanding exports would need a business plan and export sales projections showing increased export sales and/or global competitiveness as a result of the ITL financing.

Guaranty Coverage

The SBA can guaranty up to 90 percent of an ITL up to a maximum of \$4.5 million, less the amount of the guaranteed portion of other SBA loans outstanding to the borrower. The maximum guaranty for any working capital component of an ITL is limited to \$4 million. Any other working capital SBA loans that the borrower has are counted against the \$4 million guaranty limit.

Export Working Capital Program

The SBA's Export Working Capital Program (EWCP) assists lenders in meeting the needs of exporters seeking short-term export working capital. Exporters can apply for EWCP loans in advance of finalizing an export sale or contract. With an approved EWCP loan in place, exporters have greater flexibility in negotiating export payment terms — secure in the assurance that adequate financing will be in place when the export order is won.

Benefits of the EWCP

- Financing for suppliers, inventory or production of export goods.
- Export working capital during long payment cycles.
- Financing for stand-by letters of credit used as bid or performance bonds or down payment guarantees.
- Reserves domestic working capital for the company's sales within the U.S.
- Permits increased global competitiveness by allowing the exporter to extend more liberal sales terms.
- Increases sales prospects in under-developed markets which have high capital costs for importers.
- Low fees and quick processing times.

Use of Proceeds

- To pay for the manufacturing costs of goods for export.
- To purchase goods or services for export.
- To support standby letters of credit to act as bid or performance bonds.
- To finance foreign accounts receivable.
- Indirect exports also are an eligible use of proceeds. Indirect exports occur when the borrower's customer is U.S.-based businesses that might incorporate the borrower's product in a final product being exported or an Export Trading Company that purchases a product to be exported. The borrower would need documentation from the exporter of record that its product is, in fact, being exported.

Interest Rates

The SBA does not establish or subsidize interest rates on loans. The interest rate can be fixed or variable and is negotiated between the borrower and the participating lender.

Advance Rates

- Up to 90 percent on purchase orders.
- Up to 90 percent on documentary letters of credit.
- Up to 90 percent on insured foreign accounts receivable.
- Up to 75 percent on eligible foreign inventory located within the U.S.
- In all cases, not to exceed the exporter's costs.

Collateral Requirements

Transaction collateral is typically adequate to secure an EWCP loan via export-related inventory, and the accounts receivable generated by the



export sales, as well as an assignment of proceeds of any letter of credit or insurance policies covering export sales financed with EWCP funds. The SBA requires the personal guarantee of owners with 20 percent or more ownership stake.

How to apply

Application is made directly to the SBA's participating lenders. Businesses are encouraged to contact SBA staff at their local U.S. Export Assistance Center (USEAC) to discuss whether they are eligible for the EWCP and whether it is the appropriate tool to meet their export financing needs. Participating lenders review/approve the application and submit the request to SBA staff at the local USEAC.

Guaranty Coverage

- Maximum loan amount is \$5,000,000.
- 90 percent of principal and accrued interest up to 120 days.
- Low guaranty fee of one-quarter of one percent of the guaranteed portion for loans with maturities of 12 months or less.
- Loan maturities are generally for 12 months or less; maximum maturity is 3 years.

U.S. Export Assistance Center

While not a loan program, entrepreneurs interested in learning more about exporting their goods and services should be aware of SBA technical staff available at a U.S. Export Assistance Centers or USEAC. There are 19 USEACs located throughout the U.S. They are staffed by SBA, U.S. Department of Commerce and, in some

locations, Export-Import Bank of the U.S. personnel, and they provide trade promotion and export-finance assistance in a single location. The USEACs also work closely with other federal, state and local international trade organizations to provide assistance to small businesses. To find your nearest USEAC, visit: www.sba.gov/content/us-export-assistance-centers. You can find additional export training and counseling opportunities by contacting your local SBA office.

U.S. Export Assistance Center

100 N. Sixth St., Ste. 210-C
Minneapolis, MN 55403
612-348-1642 • 612-370-2303 Fax

CAPLines

The CAPLines program for loans up to \$5 million is designed to help small businesses meet their short-term and cyclical working capital needs. The programs can be used to finance seasonal working capital needs; finance the direct costs of performing certain construction, service and supply contracts, subcontracts, or purchase orders; finance the direct cost associated with commercial and residential construction; or provide general working capital lines of credit. The SBA provides up to an 85 percent guarantee. There are four distinct loan programs under the CAPLine umbrella:

- **The Contract Loan Program** is used to finance the cost associated with contracts, subcontracts, or purchase orders. Proceeds can be disbursed before the work begins. If used for one contract or subcontract, it is generally not revolving; if used for more than one contract or subcontract at a time, it can be

revolving. The loan maturity is usually based on the length of the contract, but no more than 10 years. Contract payments are generally sent directly to the lender but alternative structures are available.

- **The Seasonal Line of Credit Program** is used to support buildup of inventory, accounts receivable or labor and materials above normal usage for seasonal inventory. The business must have been in business for a period of 12 months and must have a definite established seasonal pattern. The loan may be used over again after a “clean-up” period of 30 days to finance activity for a new season. These loans also may have a maturity of up to five years. The business may not have another seasonal line of credit outstanding but may have other lines for non-seasonal working capital needs.
- **The Builders Line Program** provides financing for small contractors or developers to construct or rehabilitate residential or commercial property. Loan maturity is generally three years but can be extended up to five years, if necessary, to facilitate sale of the property. Proceeds are used solely for direct expenses of acquisition, immediate construction and/or significant rehabilitation of the residential or commercial structures. The purchase of the land can be included if it does not exceed 20 percent of the loan proceeds. Up to 5 percent of the proceeds can be used for physical improvements that benefit the property.
- **The Working Capital Line Program** is a revolving line of credit (up to \$5,000,000) that provides short term working capital. These lines are generally used by businesses that provide credit to their customers, or whose principle asset is inventory. Disbursements are generally based on the size of a borrower’s accounts receivable and/or inventory. Repayment comes from the collection of accounts receivable or sale of inventory. The specific structure is negotiated with the lender. There may be extra servicing and monitoring of the collateral for which the lender can charge up to 2 percent annually to the borrower.

Other Guaranty Lines of Credit

All the Special Purpose Programs listed above have SBA structured repayment terms meaning the agency

tells the lender how principal and interest is to be repaid. These programs also require the lender to use certain closing forms. Lenders with the ability to obtain 7(a) guarantees through any of the Express processes are considered experienced enough to be able to structure their own repayment terms and use their own closing documents. With this ability the lender can tailor a line of credit that it gets guaranteed by SBA to the needs of the business. Therefore, if a potential applicant sees that the previously listed Basic 7(a) or Special Purpose 7(a) Programs don’t meet their needs they should discuss their options with a lender capable of providing an SBAExpress loan with an SBA guaranty.

7(a) LOAN PROCESSES FOR LENDERS

There are various procedures for lenders to follow when they apply to SBA for a 7(a) guaranty. Some are designed for experienced lenders who are fully committed to providing business loans guaranteed by SBA to their clientele that need them, while others are designed for lenders with limited experience or when there are certain issues that requires SBA to thoroughly review the situation. The foundational process is called the Standard Loan Guaranty Process and it is used by lenders to request a guaranty from SBA when they are new to SBA lending or the request requires a SBA review. Other methods of processing have less requirements for SBA but more for the lender and the determining factors on which one a lender will use depends on the experience of the lender in dealing with SBA, the complexity of the case, the purpose of the loan, and the dollar amount being requested.

Standard 7(a) Loan Processing

After the applicant business and lender complete their required documents, the lender makes application to SBA for a guaranty by submitting them to SBA’s Loan Guaranty Processing Center. The center will screen the application and, if satisfactory complete a thorough review of both eligibility and creditworthiness before making the decision to approve the issuance of a guaranty as submitted, approve with modifications (which will be discussed with the lender), or reject the request. When the lender makes application to SBA, they have already internally agreed to approve

the recommended loan to the applicant if, and only if, the SBA provides a guaranty.

Standard processing means a lender makes their request for guaranty using SBA Form 4-I and the applicant completes SBA Form 4, even if the applicant previously completed the lender’s required application forms.

The analysis of eligibility starts with a review of the “Eligibility Questionnaire,” completed by the lender. The analysis of credit starts with a review of the SBA Form 4-I and the lender’s credit memo which must discuss at least six elements:

1. Balance sheet and ratio analysis;
2. Analysis of repayment. It is not acceptable to base repayment ability solely on the applicant’s credit score.
3. Assessment of the management skills of the applicant;
4. Explanation of the collateral used to secure the loan and the adequacy of the proposed collateral;
5. Lender’s credit history with applicant including an explanation of any weaknesses;
6. Current financial statements and pro-forma financial spread. SBA pro-forma analysis reflects how the business will look immediately following disbursement, not one year after disbursement.

SBA also expects that the lender’s credit memo includes the intended use of the loan proceeds and any historical and current issues that require explanation. SBA also expects a discussion of the process by which the applicant business generates its income when it is not immediately obvious. An explanation of how the business conducts its operation is expected.

SBA has three days to screen and 10 days to process the request for guaranty from the lender. Any additional time a lender takes to make their determination will add to the length of time to reach a final decision. If the guaranty is approved, SBA will prepare a loan authorization outlining the terms and conditions under which the guaranty is provided and prepare an approval letter for transmission to the lender.

SBAExpress

The SBAExpress guaranty is available to lenders as a way to obtain a guaranty on smaller loans up to \$350,000. The program authorizes select, experienced lenders to use mostly their own forms, analysis and procedures to process, structure, service, and disburse SBA-

guaranteed loans. The SBA guarantees up to 50 percent of an SBAExpress loan. Loans under \$25,000 do not require collateral. The use of loan proceeds is the same as for any basic 7(a) loan. Like most 7(a) loans, maturities are usually five to seven years for working capital and up to 25 years for real estate or equipment. Revolving lines of credit are allowed for a maximum of seven years.

SBAExpress Lenders List

Current as of 9/19/13

Alerus Financial, National Association
American Bank Center
American Federal Bank
American State Bank & Trust Company of Williston

Bank Forward
Bank of Glen Ullin
Bank of the West
Bell State Bank & Trust
BlackRidgeBANK
BNC National Bank
Bremer Bank, National Association
Capital CU
Choice Financial Group
Citizens Community CU
The Citizens State Bank of Finley
Citizens State Bank of Lankin
Dacotah Bank
Dakota Community Bank & Trust, National Association
Dakota Western Bank
The Farmers and Merchants
National Bank of Hatton
Farmers and Merchants State Bank
First Community CU

First International Bank & Trust
First National Bank
First National Bank & Trust Co. of Williston
First State Bank of Cando
First State Bank of Harvey
First United Bank
First Western Bank & Trust
Frandsen Bank and Trust
The Goose River Bank
Great Plains National Bank
Kirkwood Bank and Trust Co.
KodaBank
Lincoln State Bank
Merchants Bank
North Country Bank
Northland Financial
Peoples State Bank
Ramsey National Bank
Security First Bank of North Dakota
Starion Financial
Town and Country CU
Union State Bank of Fargo
United Community Bank of North Dakota
United Valley Bank
US Bank, National Association
VISIONBank
Wells Fargo Bank, National Association
Western State Bank



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Export Express

SBA Export Express offers flexibility and ease of use for both borrowers and lenders. It is the simplest export loan product offered by the SBA and allows participating lenders to use their own forms, procedures and analyses. The SBA provides the lender with a response within 36 hours.

This loan is subject to the same loan processing, closing, servicing and liquidation requirements as well as the same maturity terms, interest rates and applicable fees as for other 7(a) loans (except as noted below).

Use of Proceeds

Loan proceeds may be used for business purposes that will enhance a company's export development. Export Express can take the form of a term loan or a revolving line of credit. As an example, proceeds can be used to fund participation in a foreign trade show, finance standby letters of credit, translate product literature for use in foreign markets, finance specific export orders, as well as to finance expansions, equipment purchases, and inventory or real estate acquisitions, etc.

Indirect exports also are an eligible use of proceeds. Indirect exports occur when the borrower's customer is U.S.-based businesses that might incorporate the borrower's product in a final product being exported or an Export Trading Company that purchases a product to be exported. The

borrower would need documentation from the exporter of record that its product is, in fact, being exported.

Ineligible Use of Proceeds

Proceeds may not be used to finance overseas operations other than those strictly associated with the marketing and/or distribution of products/services exported from the U.S.

Exporter Eligibility

Any business that has been in operation, although not necessarily in exporting, for at least 12 full months and can demonstrate that the loan proceeds will support its export activity is eligible for Export Express. The one year in business requirement can be waived if the applicant has demonstrated previous business success and has exporting expertise on its management staff and if the lender does conventional underwriting and does not rely solely on credit scoring.

Foreign Buyer Eligibility

The exporter's foreign buyer must be a creditworthy entity and the methods of payment must be acceptable to the SBA and the SBA lender.

How to Apply

Interested businesses should contact their existing lender to determine if they are an SBA Export Express lender. Application is made directly to the lender. Lenders use their own application material in addition to the SBA's Borrower Information Form. Lenders' approved requests are then submitted with a limited amount of eligibility information to the SBA's National Loan Processing Center for review.

Guaranty Coverage

The SBA provides lenders with a 90 percent guaranty on loans up to \$350,000 and a 75 percent guaranty on loans between \$350,001 and \$500,000.

Community Advantage Loans

The *Community Advantage pilot program* is aimed at helping lenders to help entrepreneurs in underserved community gain access to capital by opening up 7(a) lending to mission-focused, community-based lenders — such as Community Development Financial Institutions (CDFIs), Certified Development Companies (CDCs), and microlenders — who provide technical assistance and economic development support in underserved markets. The

applicants and lender each has SBA forms to complete before SBA can provide the lender with a determination on whether or not the request for guaranty is approved. Visit www.sba.gov/advantage for more information.

CERTIFIED DEVELOPMENT COMPANY LOAN PROGRAM (504 LOANS)

The 504 Loan program is an economic development program that supports American small business growth and helps communities through business expansion and job creation. The 504 loan program provides long-term, fixed-rate, subordinate mortgage financing for acquisition and/or renovation of capital assets including land, buildings and equipment. Some refinancing is also permitted. Most for-profit small businesses are eligible for this program. The types of businesses excluded from 7(a) loans (listed previously) are also excluded from the 504 loan program.

The SBA's 504 Certified Development Companies serve their communities by financing business expansion needs. Their professional staffs work directly with borrowers to tailor a financing package that meets program guidelines and the credit capacity of the borrower's business.

CDCs work with banks and other lenders to make loans in first position on reasonable terms, helping lenders retain growing customers and provide Community Reinvestment Act credit.

The SBA 504 loan is distinguished from the SBA 7(a) loan program in these ways:

The maximum debenture, or long-term loan, is:

- \$5 million for businesses that create a certain number of jobs or improve the local economy;
- \$5 million for businesses that meet a specific public policy goal, including veterans; and
- \$5.5 million for manufacturers and energy related public policy projects.

Recent additions to the program allow \$5.5 million for each project that reduces the borrower's energy consumption by at least 10 percent; and \$5.5 million for each project that generates renewable energy fuels, such as biodiesel or ethanol production. Projects eligible for up to \$5.5 million under one of these two requirements do not have to meet the job creation

or retention requirement, so long as the CDC portfolio average is at least \$65,000.

- Eligible project costs are limited to long-term, fixed assets such as land and building (occupied by the borrower) and substantial machinery and equipment.
- Most borrowers are required to make an injection (borrower contribution) of just 10 percent which allows the business to conserve valuable operating capital. A further injection of 5 percent is needed if the business is a start-up or new (less than two years old), and a further injection of 5 percent is also required if the primary collateral will be a single-purpose building (such as a hotel).
- Two-tiered project financing: A lender finances approximately 50 percent of the project cost and receives a first lien on the project assets (but no SBA guaranty); A CDC (backed by a 100 percent SBA-guaranteed debenture) finances up to 40 percent of the project costs secured with a junior lien. The borrower provides the balance of the project costs.
- Fixed interest rate on SBA loan. The SBA guarantees the debenture 100 percent. Debentures are sold in pools monthly to private investors. This low, fixed rate is then passed on to the borrower and establishes the basis for the loan rate.
- All project-related costs can be financed, including acquisition (land and building, land and construction of building, renovations, machinery and equipment) and soft costs, such as title insurance and appraisals. Some closing costs may be financed.
- Collateral is typically a subordinate lien on the assets financed; allows other assets to be free of liens and available to secure other needed financing.
- Long-term real estate loans are up to 20-year term, heavy equipment 10- or 20-year term and are self-amortizing.

Businesses that receive 504 loans are:

- Small — net worth under \$15 million, net profit after taxes under \$5 million, or meet other SBA size standards.
- Organized for-profit.
- Most types of business — retail, service, wholesale or manufacturing.

For information, visit www.sba.gov/504.

Dakota Certified Development Corporation

4133 30th Ave. S., Ste. 100
 Fargo, ND 58104
 701-293-8892 • 701-364-1940 Fax
info@dakotacdc.com
www.dakotacdc.com

4501 Coleman St. N., Ste. 105
 Bismarck, ND 58503
 701-328-5851 • 701-751-5867 Fax

1925 S. Broadway, Ste. 2
 Minot, ND 58701

Lake Agassiz Certified Development Company

417 Main Ave.
 Fargo, ND 58103
 701-235-7885 • 701-235-6706 Fax
info@lakeagassiz.com
www.lakeagassizcdc.com

Lewis & Clark Certified Development Company

200 1st Ave. N.W., Ste. 100
 Mandan, ND 58554
 701-667-7620 • 701-255-7228 Fax
www.lewisandclarkcdc.org

MICROLOAN PROGRAM (LOANS UP TO \$50,000)

The Microloan program provides very small loans (up to \$50,000) to women, low-income, minority, veteran, and other small business owners through a network of more than 100 intermediaries nationwide. Under this program, the SBA makes funds available to nonprofit intermediaries

that, in turn, make the small loans directly to start-up and existing businesses. Entrepreneurs work directly with the Intermediaries to receive financing, and business knowledge support. The proceeds of a microloan can be used for working capital, or the purchase of furniture, fixtures, supplies, materials, and/or equipment. Microloans may not be used for the purchase of real estate. Interest rates are negotiated between the borrower and the intermediary. The maximum term for a microloan is six years. Because funds are borrowed from the intermediary, SBA is not involved in the business loan application or approval process. And, payments are made directly from the small business to the intermediary.

The program also provides business-based training and technical assistance to micro-borrowers and potential micro-borrowers to help them successfully start or grow their businesses. Such training and technical assistance may include general business education, assistance with business planning industry-specific training, and other types of training support.

Entrepreneurs and small business owners interested in small amounts of business financing should contact the nearest SBA district office for information about the nearest Microloan Program Intermediary Lender or go to www.sba.gov/microloans.

Lake Agassiz Regional Development Corporation

417 Main Ave.
 Fargo, ND 58103
 701-235-1197 • 701-235-6706 Fax
info@lakeagassiz.com
www.lakeagassiz.com

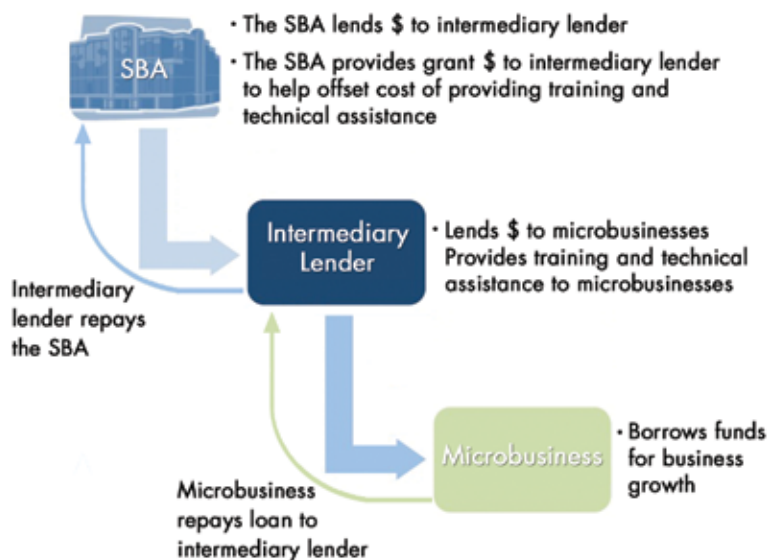
SURETY BOND GUARANTEE PROGRAM

The Surety Bond Guarantee Program is a public-private partnership between the federal government and surety companies to provide small businesses with the bonding assistance necessary for them to compete for public and private contracting and subcontracting opportunities. The guarantee provides an incentive for sureties to bond small businesses that would otherwise be unable to obtain bonding. The program is aimed at small businesses that lack the working capital or performance track record necessary to secure bonding on a reasonable basis through regular commercial channels.

Through this program, the SBA guarantees bid, payment, performance and ancillary bonds issued by surety companies for individual contracts and subcontracts up to \$6.5 million. The SBA reimburses sureties between 70 and 90 percent of losses sustained if a contractor defaults on the contract. On Federal contracts, SBA can guarantee bonds on contracts up to \$10 million, if the contracting officer certifies that a guarantee would be in the best interest of the Government.

SBA has two program components, the Prior Approval Program and the Preferred Surety Bond Program. In the Prior Approval Program, the SBA guarantees 90 percent of surety's paid losses and expenses on bonded contracts up to \$100,000, and on bonded contracts greater than \$100,000 that are awarded to socially and economically disadvantaged concerns, HUBZone contractors, and veterans, and service-disabled veteran-owned small businesses. All other bonds guaranteed in the Prior Approval Program receive an 80 percent guarantee. Sureties must obtain the SBA's prior approval for each bond guarantee issued. Under the Preferred Program, the SBA guarantees 70 percent, and sureties may issue, monitor and service bonds without the SBA's prior approval.

How the Microloan Program Works





SMALL BUSINESS INVESTMENT COMPANY PROGRAM

The Small Business Investment Company (SBIC) program fills the gap between what owners can fund directly and the needs of the small business for growth capital. Licensed and regulated by the SBA, SBICs are privately owned and managed investment funds that make capital available to qualifying U.S. small businesses. The funds raise private capital and can receive SBA-guaranteed leverage up to three times private capital, with a leverage ceiling of \$150 million per SBIC and \$225 million for two or more licenses under common control. Licensed SBICs are for-profit investment firms whose incentive is to share in the success of a small business. The SBIC program provides funding for a broad range of industries. Some SBICs invest in a particular field or industry while others invest more generally. For more information, visit www.sba.gov/inv.

InvestAmerica Investment Advisors, Inc.

51 Broadway, Ste. 500
Fargo, ND 58102
701-298-0003 • 701-293-7819 Fax
www.investamericaventuregroup.com

SMALL BUSINESS INNOVATION RESEARCH PROGRAM

The Small Business Innovation Research (SBIR) program encourages small businesses to advance their technical potential from funds committed by federal agencies with large extramural research and development budgets. The SBIR program serves to fund the critical startup and development stages for a technology and encourages commercialization of the technology, product or service. In turn, this stimulates the U.S. economy.

SBIR Requirements

Small businesses must meet the following eligibility criteria to participate in the SBIR program.

- Be 51 percent owned and controlled by one or more individuals who are U.S. citizens or permanent resident aliens in the U.S. or be a for-profit business concern that is at least 51 percent owned and controlled by another for-profit business concern that is at least 51 percent owned and controlled by one or more individuals who are citizens of, or permanent resident aliens in, the U.S.
- Principal researcher must be employed by the small business.
- Company size cannot exceed 500 employees.

For more information on the SBIR program visit www.sba.gov/sbir.

Participating Agencies

Each year, the following eleven Federal departments and agencies are required to reserve 2.5 percent of their extramural R&D funds for award to small businesses through the SBIR program: Dept. of Agriculture; Dept. of Commerce; Dept. of Defense, Dept. of Education; Dept. of Energy; Dept. of Health and Human Services; Dept. of Homeland Security; Dept. of Transportation; Environmental Protection Agency; National Aeronautics and Space Administration; and the National Science Foundation.

SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM

The Small Business Technology Transfer (STTR) program reserves a specific percentage of federal R&D funding for award to small business and non-profit research institution partners. Central to the program is expansion

of public/private sector partnerships to include joint venture opportunities for small business and the nation's premier nonprofit research institutions. Small business has long been where innovation and innovators thrive, but the risk and expense of conducting serious R&D efforts can be beyond the means of many small businesses. Non-profit research laboratories are also instrumental in developing high-tech innovations, but frequently innovation is confined to the theoretical. STTR combines the strengths of both entities by introducing entrepreneurial skills to high-tech research efforts. The technologies and products are transferred from the laboratory to the marketplace. The small business profits from the commercialization, which, in turn, stimulates the U.S. economy.

The Center for Innovation

Ina Mae Rude Entrepreneur Center
University of North Dakota
4200 James Ray Dr.
Grand Forks, ND 58203
701-777-3132
www.innovators.net

STTR Requirements

Small businesses must meet the following eligibility criteria to participate in the STTR program.

- Be 51 percent owned and controlled by one or more individuals who are U.S. citizens or permanent resident aliens in the U.S.
 - Be for-profit.
 - Principal researcher need not be employed by the small business.
 - Company size cannot exceed 500 employees. (No size limit for nonprofit research institution).
- The nonprofit research institution partner must also meet certain eligibility criteria:**
- Be located in the United States and be one of the following:
 - Nonprofit college or university.
 - Domestic nonprofit research organization.
 - Federally funded R&D center.

Participating Agencies

Each year the following five Federal departments and agencies are required by STTR to reserve 0.3 percent of their extramural R&D funds for award to small businesses through the SBIR program: Dept. of Defense, Dept. of Energy; Dept. of Health and Human Services; National Aeronautics and Space Administration; and the National Science Foundation.

SBA ONLINE: WEB-BASED TOOLS FOR BUSINESS OWNERS

The old adage “time is money” is perhaps one of the most pertinent statements that you can apply to small business owners. Whether you’re starting a business or managing a growing one, entrepreneurs and business owners wear many hats and have many questions:

- What laws and regulations apply to my business?
- How do I start to write a business plan?
- Where can I get help with X, Y and Z?

Many of us invariably turn to our networks and the Internet to find answers. But how can you trust that the information you are getting is truly applicable to your business and, let’s face it, even accurate?

As part of its mission to help business owners start, succeed and grow, SBA, through the SBA.gov website has developed numerous online tools and guides to help small businesses get information and answers they need quickly and efficiently. For example, these **10 Steps to Starting a Business** and these **10 Steps to Hiring your First Employee** guides are essential reading. Then there are the **Licenses and Permits Search Tool** and the **Loans and Grants Search Tool**.

New Online Tools to Help Business Owners Plan, Manage and Grow

Over the past couple of months, the SBA has expanded its capacity and selection of tools and information that business owners need by developing a whole range of new online features! Check them out:

1. Get to Know Your Market and Competition Better with the SizeUp Tool

Want to know how your business stacks up against the competition? Where your potential competitors are located? Where the best places are to advertise your business? These are all critical inputs for your business plan and can also help back up any financing applications.

Now with the new SizeUp tool you can crunch millions of data points and get customizable reports and statistics about your business and its competition. Just enter your industry, city, state and other



details. **SizeUp** then runs various reports and provides maps and data related to your competition, suppliers and customers. It also highlights potential advertising opportunities.

2. Build a Business Plan Tool

Business planning can seem a daunting task, but it doesn’t have to be that way. To help you plan and steer your business, this new **“Build a Business Plan”** tool guides you through the process of creating a basic, downloadable business plan. The great thing about it is you can build a plan in smaller chunks of time, save your progress and return at your leisure.

To use the tool, simply log into SBA.gov and enter information into a template for each section of the business plan including, market analysis, company description and financial projections. The tool is secure and confidential and will keep your plan on record for up to six months. You can also save, download or email the plan at any time.

3. Size Standards Tool - Find Out Fast if You Qualify for Government Contracts

In order to be eligible to sell to the government and compete for small business “set-aside” contracts, business owners had to rummage through various rules and matrices to find out if their business is truly “small” according to **SBA size standards**. Now, with this new **Size Standards Tool**, you can follow three simple steps to cut through the guesswork and quickly find out if you qualify for government contracting

opportunities. SBA also offers other resources including **government contracting training courses**, and **guides to help you register as a contractor**.

4. Events Calendar - Locate Business Training and Seminars

SBA and its partners, including Small Business Development Centers, Women’s Business Centers, and SCORE, hold hundreds of small business training seminars and workshops across the country. Until now, there was no single repository for these events. Now, with SBA’s **Events Calendar**, you can quickly find and sign up for training. Enter a date range and/or zip code to locate events in your area. Results are filtered by topic such as “starting a business,” “managing a business,” “business planning,” and “financing a business.”



Use of Proceeds in SBA Loan Programs

Ways Borrowers Can Use The Money

(Information current as of 11/21/2013)

Program	Who Qualifies	Use of Proceeds	Maturity	Maximum Loan Amount	Structure	Benefit to Borrower
Basic 7(a)	For-profit businesses that can meet SBA's size standards, nature of business, use of proceeds, credit elsewhere, and other miscellaneous eligibility factors.	Acquire land; purchase existing building; convert, expand or renovate buildings; construct new buildings; acquire and install fixed assets; acquire inventory; purchase supplies and raw materials; purchase a business, start a business, leasehold improvements, term working capital; and under certain conditions to refinance certain outstanding debts.	Based on the use of proceeds and borrower's ability to repay. Not based on collateral. Maximum maturity: 10 years for working capital (seven years is common), 10 years for fixed assets, 25 years for real estate.	A basic 7(a) can be for as much as \$5 million. SBA's limit to any one business is \$3.75 million so a business can have multiple loans guaranteed by SBA but the SBA portion cannot exceed \$3.75 million.	Term loans with one monthly payment of principal and interest (P&I). Borrower contribution required. Interest rate depends upon how lender applies for guaranty (see lender program chart). Cannot revolve, no balloon or call provisions.	Obtains financing not otherwise available, fixed maturity, available when collateral is limited. Can establish or re-affirm relationship with lender.
International Trade Loan (ITL)	Same as basic 7(a). Plus, business must be engaged or preparing to engage in exporting or be adversely affected by competition from imports.	Acquire, renovate, modernize facilities or equipment used in making products or services to be exported. Plus, for permanent working capital and to refinance business debts currently on unreasonable terms.	Same as basic 7(a).	Same as basic 7(a), but when borrower has both international trade and working capital loans, guaranteed by the SBA, the limit to any one business can be \$4 million.	Same as basic 7(a).	Same as basic 7(a). Plus, long-term financing for export related fixed assets and working capital.
Export Working Capital Loans (EWCP)	Same as basic 7(a). Plus, must be in business one year and engaged or preparing to engage in exporting.	Short-term working capital for export purposes, including ability to support an Export Stand-By Letter of Credit.	Can be up to a maximum of 36 months but generally 12 months or less.	Same as basic 7(a).	Finance single or multiple transactions. Interest paid monthly, principal paid as payments from items shipped overseas are collected. Can be renewed annually. Extra fees apply. Percentage of guaranty up to 90%. Generally revolving.	Provides American exporters with line of credit that can be separated from domestic operations line of credit.
Seasonal CAPLines	Same as basic 7(a). Plus, in business for at least one year and can demonstrate seasonal financing needs.	To finance the seasonal increases of accounts receivable, inventory and labor.	10 years	Same as basic 7(a).	Short-term financing for seasonal activities to be repaid at the end of the season when payment for the seasonal activity is made to business.	Provides opportunity for seasonal businesses to get seasonal financing not otherwise available.
Contract CAPLines	Same as basic 7(a). Plus, will perform on contract or purchase order for some third party buyer.	To finance the cost of one or more specific contract, sub-contract, or purchase order, including overhead or general and administrative expenses, allocable to the specific contract(s).	10 years	Same as basic 7(a).	Short-term financing for performance of approved contract, sub-contract, or purchase order to be repaid when payment for the activity is made to business. Can be revolving or not.	Provides opportunity for contractors and sub-contractors to get financing not otherwise available.

Program	Who Qualifies	Use of Proceeds	Maturity	Maximum Loan Amount	Structure	Benefit to Borrower
Builders CAPLines	Same as basic 7(a). Plus, building/renovating residential or commercial structure for re-sale without knowing buyer at time of approval.	For the direct expenses related to the construction and/or "substantial" renovation costs of specific residential or commercial buildings for resale, including labor, supplies, materials, equipment rental, direct fees. The cost of land is potentially eligible.	Maximum of three years to disburse and build or renovate. Extension possible to accommodate sale.	Same as basic 7(a).	Short-term financing to build or renovate home or building for sale to unknown third party. "Substantial" means rehabilitation expenses of more than one-third of the purchase price or fair market value at the time of application. Can be revolving or not.	Provides opportunity for residential and commercial builders to get financing not otherwise available.
Working Capital CAPLines	Same as basic 7(a). Plus, business needing short term revolving line of credit.	For short-term working capital and operating needs. Proceeds must not be used to pay delinquent withholding taxes or similar trust funds (state sales taxes, etc.) or for floor planning.	10 years	Same as basic 7(a).	Lender has latitude with structuring principal payments. Borrower should discuss with lender. Must be revolving. Extra fees apply.	Provides opportunity for businesses that sell on credit to get revolving financing not otherwise available.
Lender Structured Line of Credit	Businesses needing a line of credit.	Working capital	If revolving, seven-year maximum, including term out period.	Depends upon how the lender chooses to apply for an SBA Guaranty. Generally up to \$350,000.	Structure is established by individual lender.	Has availability for a line of credit to help with the short-term cash needs of the business.
Non-7(a) Programs						
504 Loan Program	Businesses that can meet the SBA's size standards, nature of business, use of proceeds, credit elsewhere, and other miscellaneous factors.	For the acquisition of long-term fixed assets, equipment with a useful life of at least 10 years; refinance loan-term fixed asset debt under certain conditions; working capital under certain conditions; to reduce energy consumption; and to upgrade renewable energy sources.	Based on the use of proceeds. Twenty years for real estate. Ten years for machinery and equipment.	The SBA can support a maximum of \$5,000,000 to any 1 business (including affiliates) and this amount can represent up to 40 % of the overall financing. SBA can support up to \$5,500,000 when the borrower is a manufacturer or financing accomplishes certain energy public policy and again this amount can represent up to 40 percent of the overall financing	Loans packaged by Certified Development Companies (CDC) and designed to finance up to 40 percent of a "project" ¹ secured with a 2nd position lien. Another loan from a third party lender financing up to 50 percent of the same project secured in 1st position, and borrower contribution of at least 10 percent. Extra contributions for special purpose properties and new businesses.	Fees under 3 percent, long-term fixed rate, low borrower contribution, full amortization with no call or balloon conditions.
Microloan Program	Similar to basic 7(a). Plus, start-up nonprofit child-care businesses.	Similar to basic 7(a). Plus, funds to establish nonprofit child-care centers.	Shortest term possible, not to exceed six years.	\$50,000 to the small business at any given time.	The SBA provides a loan to a nonprofit micro-lender called an "intermediary" who uses the proceeds to make microloans to small businesses. Technical assistance can also be provided.	Direct loan from nonprofit intermediary lender, fixed-rate financing, can be very small loan amounts, and technical assistance is available.

¹ "Project" is the purchase or lease, and/or improvement or renovation of long term fixed assets by a small business, with 504 financing, for use in its business operations.

All SBA programs and services are extended to the public on a nondiscriminatory basis.

Lender's Program Chart

Ways Lenders Can Request Guarantees

(Information current as of 12/05/2013)

The chart below explains the rules for lenders for various SBA-backed loans to borrowers.

Processing Program	Which Lenders Qualify	Types of Use of Proceeds Loans that can be Guaranteed	Maximum Allowable Interest Rates	Eligibility Analysis	Credit Analysis	Maximum Loan Amount
Standard Processing	Lenders that have an executed participation agreement with the SBA.	Basic 7(a). International trade, export working capital, all CAPlines, dealer floor plan.	Base rate is <i>Wall Street Journal</i> prime, LIBOR*one month rate plus 3 percent, or SBA Peg rate. Plus, an allowable spread from 2.25 to 2.75 percent based on term. Lender can add 2 percent if loan is \$25,000 or less, and 1 percent if \$25,001 to \$50,000. Can be fixed or variable.	Lender completes eligibility questionnaire and SBA reviews eligibility during loan processing.	Lender to cover all aspects of prudent credit analysis with emphasis on applicant's ability to repay loan from operation. SBA conducts analysis of lender's work.	Maximum loan \$5 million. Loans up to \$150,000 guaranteed up to 85 percent; loans over \$150,000 guaranteed up to 75 percent. Business with multiple SBA loans may get some variations.
Certified Lender Program (CLP) Processing	Same as Standard 7(a). Plus, an executed CLP agreement.	Same as Standard processing except no policy exceptions.	Same as Standard 7(a).	Same as Standard 7(a).	Same as Standard 7(a) except SBA reviews lender's work, not a re-analysis.	Maximum loan \$5 million. Guaranty percentage same as Standard 7(a).
Preferred Lender Program (PLP) Processing	Same as Standard 7(a). Plus, an executed PLP agreement.	Same as Standard processing except restrictions on loans involving some types of debt refinancing.	Same as Standard 7(a).	Lender completes Eligibility Checklist (SBA Form 7).	Delegated to lender.	Maximum loan \$5 million. Guaranty percentage same as Standard 7(a).
SBA Express Processing	Same as Standard 7(a). Plus, an executed SBA Express agreement.	Basic 7(a) with restrictions on some types of debt refinancing. Plus, lender structured term and revolving loans.	If \$50,000 or less, cannot exceed prime + 6.5 percent. If over \$50,000, cannot exceed prime + 4.5 percent. Prime may be lender prime.	Lender completes SBA Form 1920SX (Part C) "Eligibility Information."	Delegated to lender.	Maximum loan \$350,000. Guaranty percentage 50 percent.
Export Express Processing	Same as Standard 7(a). Plus, an executed Export Express Agreement.	Similar to export working capital loans and international trade loans which meet export related eligibility criteria.	If \$50,000 or less, cannot exceed prime + 6.5 percent. If over \$50,000, cannot exceed prime + 4.5 percent. Prime may be lender prime.	Lender completes SBA Form 1920SX (Part C) "Eligibility Information."	Delegated to lender.	Maximum loan \$500,000. Guaranty percentage same as Standard 7(a).
Community Advantage	Same as Standard 7(a). Plus, an executed Community Advantage Agreement.	Basic 7(a) except restrictions on some types of refinancing.	Prime plus 6 percent.	Non-Delegated Lenders complete SBA Form 2301 (Part C). Delegated Lenders complete SBA Form 2301 (Part D).	Similar to Standard 7(a) except credit factors to consider are more defined.	Maximum loan \$250,000. Guaranty percentage same as Standard 7(a).

All SBA programs and services are extended to the public on a nondiscriminatory basis.

* London InterBank Offered Rate

Leveling the Playing Field

There is no “typical” small business owner. In fact, those who wish to become small business owners span the gamut of race, ethnicity, age, gender and socioeconomic background. And while some small business owners build success and wealth beyond their wildest dreams, the truth is many small business owners in the United States face a host of obstacles and barriers that may preclude their success in business. That is where the U.S. Small Business Administration steps in to help level the playing field. The agency has a host of programs and services designed specifically to address the needs of veterans, women, minorities and the socially and economically disadvantaged on their journey towards successful small business ownership.

Over the next few years, more than 250,000 service members, including Reserve Component members, will transition into civilian life. Many of these veterans are interested in pursuing small business ownership as a viable career option. This is why the SBA has dedicated a program office at its headquarters in Washington, D.C., the Office of Veterans Business Development (OVBD), as well as funded 15 Veterans Business Outreach Centers (VBOCs) at locations across the country, to address the special needs of veterans. Headed by Rhett Jeppson, a current Reserve Marine Corps officer, OVBD aims to assist all veteran entrepreneurs with counseling and training; access to capital; and access to government contracting opportunities. Every one of the SBA’s 68 district offices also features a designated veteran’s business development officer. “When I was running my family’s business,” Associate Administrator Jeppson said. “I just wish I had known about the resources and help the SBA offers veterans.”

SBA’s outreach to veterans spans the 3C’s of Counseling, Capital, and Contracting. For example, in partnership with Syracuse University’s Institute for Veterans and Military Families (IVMF), the SBA is laying the foundation for the Boots to Business entrepreneurship training program to educate and expose separating service members to the principles of small business ownership; continuing funding for the Veteran Women Igniting the Spirit of Entrepreneurship (V-WISE) program; and sponsoring the Entrepreneurship Boot Camp for veterans with disabilities. SBA has also engaged its top 20 lenders and hundreds of community banks to increase access to capital for veterans by 5 percent each year during the next five years. Finally, SBA conducts outreach efforts, such as business matchmaking events, across the country to help ensure that at least 3 percent of all federal contracts are awarded to service-disabled, veteran-owned small businesses. For more information on SBA’s programs for veterans, go to www.sba.gov/vets.

Women, too, have long faced unique obstacles in the world of business. In response, the federal government created the Women-Owned Small Business Federal Contract Program, which authorizes federal contracting officers to set-aside certain contracts for women-owned small businesses and socially and economically-disadvantaged women-owned small businesses. Additionally, there is a government-wide statutory goal of awarding 5 percent of all federal contracts to women-owned small businesses. At the SBA, women business owners are assisted by the Office of Women’s Business Ownership. The office helps oversee federal agencies’ compliance with

federal contract set-aside opportunities for women-owned businesses, as well as directing the cooperative agreement that partially funds the network of 110 Women’s Business Centers (WBC). To learn more about the Office of Women’s Business Ownership and the WBC network, visit www.sba.gov/women.

Last but certainly not least, the SBA has an extensive portfolio of programs and services designed specifically to meet the needs of minority small business owners, especially those that are socially and economically disadvantaged. For example, the Emerging Leaders Initiative is designed specifically for small businesses that have substantial potential for expansion and growth in Native American and urban communities. See page 11 for more information on this program that is currently hosted in 27 markets across the country.

The SBA’s primary business development programs are the 8(a) Business Development Program and the Historically Underutilized Business Zone Program (HUBZone). Primarily federal contracting programs, participants are also provided counseling and other opportunities to help grow their businesses and invest in their own communities.

Mariana Pardo, director of the HUBZone program for the SBA, sums up the opportunities for businesses located in HUBZones. “Successful small businesses that are looking to narrow their field of competition in the federal contracting arena should explore the HUBZone certification. There is no expiration to this certification as long as the firm maintains compliance and undergoes a recertification every three years. The HUBZone website offers a wealth of information to help businesses develop a plan of action to obtain and maintain this certification so that they can obtain the maximum benefits for their communities,” she said. See page 30 to learn more about the 8(a) and HUBZone programs.

Equal economic opportunity for all is the mission of the SBA’s Office of Economic Opportunity, which ensures access to capital for even the smallest businesses. “At the Office of Economic Opportunity, we are charged with how best to harness all of the agency’s programs and resources to successfully get capital in the smallest amounts to the businesses and entrepreneurs who are most in need,” said Grady Hedgespeth, director of the office. “We’re talking loans in some cases as small as \$300 and up to \$350, 000,” he said. “These amounts are the critical funding gap faced by the vast majority of minority- and women-owned businesses, businesses in lower income areas and start-ups. The mainstream market for financial services does not do a good job of reaching many of these segments. But our office uses SBA loan, investment and resource programs to create innovative partnerships to extend credit availability and economic opportunity into these underserved markets,” Hedgespeth said.

The SBA is committed to the success of all small businesses. The pages of this resource guide provide more information on all of the programs described above, and additional information can also be found at www.sba.gov. The success stories profiled on the subsequent pages illustrate how small businesses have utilized these SBA resources and programs on their road to success. They are just a handful of the many small businesses the SBA has helped by leveling the playing field.

CONTRACTING

Applying for Government Contracts



The U.S. government is the largest single purchaser of goods and services in the world, buying everything from armored tanks to paper clips. Every year, the federal government awards more than \$500 billion in contracts, and a significant share of those contracts are specifically allotted to small businesses.

The Small Business Administration works with agencies to award at least 23 percent of all prime government contracts to small businesses, with specific statutory goals for small disadvantaged businesses (SDB), businesses that are women-owned (WOSB) or service-disabled veteran-owned (SDVOSB), and businesses that are located in historically underutilized business zones (HUBZone).

The agency ensures that small businesses have access to long-lasting development opportunities, which means working with small businesses to help them stay competitive, as well as encouraging federal agencies to award more contracts to small businesses. The SBA provides outreach programs, matchmaking events, and online training opportunities; and helps agencies identify contracting opportunities for small businesses.

HOW GOVERNMENT CONTRACTING WORKS

Sealed bidding vs. Negotiation

There are two methods the government uses to purchase goods and services, sealed bidding and negotiation. The first method, sealed bidding, involves issuing an invitation for bid by a procuring agency. Under the sealed bidding method, a contract

is awarded to a responsible bidder whose bid, conforming to the invitation for bids, will be most advantageous to the government, considering only price and the price-related factors included in the invitation for bid. The second method, negotiation, involves issuing a request for proposal (RFP) or request for quotation (RFQ). The business with the best proposal in terms of technical content, best value, price and other factors generally wins the contract.

Types of Contracts

Firm fixed-price contracts place the full responsibility for the costs and risk of loss on the contractor. Firm fixed-price contracts do not permit any adjustment on the basis of the contractor's costs during the performance of the contract. It provides maximum incentive for the contractor to control costs and perform effectively and imposes a minimum administrative burden upon the contracting parties. This type of contract is used in all sealed bid and some negotiated procurements.

Cost reimbursement contracts provide for the payment of allowable costs incurred by the contractor, to the extent stated in the contract. The contract establishes a ceiling price, above which a contractor may not exceed without the approval of the contracting officer. Cost reimbursement contracts are commonly used in research and development contracts.

Some contracts do not fit neatly into these two categories, such as time and material contracts (prices for hourly wages are fixed but the hours are estimated) and letter contracts

(authorizes a contractor to begin work on an urgent requirement).

Small Business Set-Asides

A "set-aside" for small businesses reserves an acquisition exclusively for small business participation. There are two ways in which set-asides can be determined. First, if an acquisition of goods or services has an anticipated dollar value of at least \$3,000 but not exceeding \$150,000, it is automatically reserved for small businesses. The acquisition will be set aside only if the contracting officer determines there are two or more responsible small businesses that are competitive in terms of market prices, quality and delivery. Second, if an acquisition of goods or services is more than \$150,000, and if it is likely offers will be obtained from at least two responsible small businesses, and if awards will be made at fair market prices, the acquisition is reserved exclusively for small business. Reasonable expectations of small business competition may be evaluated using past acquisition history of an item or similar items.

There are several exceptions and unique rules for specific kinds of small businesses and industries. For Research and Development (R&D) small business set-asides, there must be reasonable expectation of obtaining from small businesses the best scientific and technological sources consistent with the demands of the proposed acquisition. For small business set-asides other than for construction services, any business proposing to furnish a product that it did not manufacture must furnish the product of a small business

manufacturer unless the SBA has granted either a waiver or exception to this requirement. In industries where the SBA finds that there are no small business manufacturers, it may issue a waiver to this non-manufacturer rule. Waivers permit small businesses to provide any domestic firm's product.

Subcontracting

Subcontracting opportunities are a great resource for small businesses, especially for those not ready to bid as prime contractors. Experience gained from subcontracting with a federal prime contractor can better prepare businesses to bid for prime contracts.

Current regulations stipulate that for contracts offering subcontracting opportunities over \$650,000 for goods and services, or \$1.5 million for construction, large business prime contractors must offer the maximum practicable subcontracting opportunities to small businesses. Large business prime contractors must submit a subcontracting plan describing how they will successfully subcontract to small businesses.

To find subcontracting opportunities, a list of federal prime solicitations is listed under the U.S. Small Business Administration Subcontracting Network (SUBNET) [web.sba.gov/subnet/search/index.cfm](http://www.sba.gov/subnet/search/index.cfm) and through the General Services Administration (GSA) at www.gsa.gov/portal/content/101195. Research the list of prime contractors and determine which are best suited to your business. Develop a marketing strategy, and then contact the Small Business Liaison Officer (SBLO) listed for each prime to schedule an appointment.

SBA CONTRACTING PROGRAMS HUBZONE

The Historically Underutilized Business Zones (HUBZone) program helps small businesses located in distressed urban and rural communities gain access to federal set-aside contracts and sole source contracts, as well as a price evaluation preference in full and open contract competitions. There is a statutory goal that HUBZone small business concerns be awarded not less than 3 percent of the total value of all prime contract awards. The HUBZone program also establishes preference for award of federal contracts to small businesses in these areas. To qualify for the program, a business (except those that are tribally-owned) must meet the following criteria:

- It must be a small business by SBA size standards
- It must be owned and controlled at least 51 percent by U.S. citizens, or a Community Development Corporation (CDC), an agricultural cooperative, or an Indian tribe
- Its principal office must be located within a "Historically Underutilized Business Zone," which includes lands considered "Indian Country" and military facilities closed by the Base Realignment and Closure Act
- At least 35 percent of its employees must reside in a HUBZone.

Existing businesses that choose to move to qualified areas are eligible to apply for certification. To fulfill the requirement that 35 percent of a HUBZone firm's employees reside in a HUBZone, employees must live in a primary residence at a place for at least 180 days, or as a currently registered voter, and with intent to live there indefinitely.

The SBA is responsible for:

- Determining whether or not individual concerns are qualified HUBZone small business concerns;
- Maintaining a list of qualified HUBZone small business concerns for use by acquisition agencies in awarding contracts under the program;
- Adjudicating protests and appeals of eligibility to receive HUBZone contracts.

For additional information, visit www.sba.gov/hubzone.

8(a) BUSINESS DEVELOPMENT PROGRAM

The 8(a) Business Development program is a nine-year program established to assist eligible socially and economically disadvantaged individuals to develop and grow their businesses. Business development assistance includes one-on-one counseling, training workshops, match-making opportunities with federal buyers and other management and technical guidance. There is a statutory requirement that small disadvantaged business concerns be awarded not less than 5 percent of the total value of all prime contract awards. All firms that become eligible for SBA's 8(a) business development assistance are also considered small disadvantaged business concerns for the purpose of federal contracting.

To be eligible for the 8(a) Business Development program, a business must meet the following criteria:

- It must be a small business by SBA size standards;

- It must be owned (at least 51 percent) by one or more individuals who qualify as socially and economically disadvantaged, and who are U.S. citizens of good character;
- It must be controlled, managed, and operated full-time by one or more individuals who qualify as disadvantaged, and;
- It must demonstrate potential for success (generally by being in business for at least two full years) and have the capacity to perform on government and non-government contracts before applying.

Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual capabilities. The following individuals are presumed to be socially disadvantaged: Black Americans, Native Americans, Alaska Natives or Native Hawaiians, Hispanic Americans, Asian Pacific Americans, and Subcontinent Asian Americans. An individual who is not a member of one of these groups must establish individual social disadvantage by a preponderance of evidence.

Economically disadvantaged individuals are socially disadvantaged individuals whose ability to compete in the free-enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business who are not socially disadvantaged.

Firms owned by Alaska Native Corporations, Indian tribes, Native Hawaiian organizations, and Community Development Corporations can also apply to the SBA for 8(a) business development assistance.

So that approved firms can obtain training, counseling, and business development assistance, SBA designates a staff person at a local SBA district office, geographically near the business to coordinate the firm's business development assistance.

SBA is responsible for:

- Determining whether a business qualifies for the 8(a) Business Development program;
- Determining whether a business continues to qualify, during the nine-year term;
- Approving Mentor/Protégé agreements between 8(a) firms and large businesses;
- Providing technical guidance and business development assistance during the nine-year term.

For additional information, visit www.sba.gov/8a.

SMALL DISADVANTAGED BUSINESS

A Small Disadvantaged Business (SDB) is defined as a small business that is at least 51 percent owned and controlled by one or more individuals who are socially and economically disadvantaged.

There is a federal government-wide goal of awarding at least 5 percent of prime contracting dollars to SDBs each year. Large prime contractors must also establish a subcontracting goal for SDBs in their subcontracting plans.

Firms self-certify as SDB without submitting any application to the SBA; however, firms approved by the SBA into the 8(a) Business Development program are automatically certified as an SDB. To self-certify, firms should access the website: www.sba.gov/sdb. By reading the information contained therein you will be given guidance as to what steps are required.

SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS

The Service-Disabled Veteran-Owned Small Business (SDVOSB) program has a federal government-wide goal of awarding at least 3 percent of prime and subcontracting dollars to Service-Disabled Veteran-Owned Small Businesses each year. Large prime contractors must also establish a subcontracting goal for Veteran-Owned Small Businesses in their subcontracting plans. These subcontracting goals are reviewed at time of proposal by both the contracting officer and the SBA prior to the award of a contract.

The SDVOSB protest is administered by SBA to ensure that only businesses owned by service-disabled veterans receive contracts reserved exclusively for them. When a business's SDVOSB self-certification is challenged, the SBA determines if the business meets the status, ownership and control requirements.

To determine your eligibility, contact your local veterans' business development officer, visit the various program websites, or contact SBA's Office of Veterans Business Development at www.sba.gov/about-offices-content/1/2985.

WOMEN-OWNED SMALL BUSINESS FEDERAL CONTRACT PROGRAM

On October 7, 2010, the SBA published a final rule effective February 4, 2011, aimed at expanding federal

WHAT YOU SHOULD KNOW ABOUT YOUR BUSINESS

To be eligible to bid on a federal contract, you must know your business. Answer the following three questions:

1. Are you a small business?

Is your small business:

- Organized for profit?
- Located in the U.S.?
- Operated primarily within the U.S. or making a significant contribution to the U.S. economy through payment of taxes or use of American products, materials, or labor?
- Independently owned and operated?
- Not dominant in the field of operation in which it is bidding for government contracts?
- A sole proprietorship, partnership, corporation, or any other legal form?

If the first six criteria apply to your business, ask yourself the second important question to find out if your business meets size standard requirements.

2. What is the size standard for your business?

Size standards are used to determine whether a business is small or "other than small." Size standards vary depending upon the industry. To determine the size standard for your business, you will need a North American Industry Classification code (NAICS). Every federal agency uses these codes when considering your business. To determine your NAICS code, go to www.census.gov/eos/www/naics/. Some SBA programs require their own unique size standards. To find out more about these requirements and other size standard information, go to www.sba.gov/size.

contracting opportunities for women-owned small businesses. The Women-Owned Small Business (WOSB) Federal Contract Program authorizes contracting officers to set aside certain federal contracts for eligible women-owned businesses and economically disadvantaged women-owned small businesses.

To be eligible, a firm must be at least 51 percent owned or controlled by one or more women. The women must be U.S. citizens. The firm must be "small" in its primary industry in accordance with SBA's size standards for that industry. To be deemed "economically disadvantaged" its owners must

3. Do you fall under a specific certification?

Under the umbrella of "small business," SBA has outlined several specific certifications that businesses may fall under. These certifications are divided into two categories:

SBA-Certified and Self-Certified.

The SBA-Certified Programs were created to assist specific businesses in securing federal contracts and therefore can only be issued by SBA administrators. For the Self-Certified Programs, you can determine for yourself if your business meets the requirements by referring to the Federal Acquisition Regulation (FAR).

Just as Congress has given federal agencies a goal of procuring 23 percent of federal contracts from small businesses, so too must federal agencies meet specific contracting goals for other categories of small firms. These goals are:

- 23 percent of contracts for Small Businesses
- 5 percent of contracts to Small Disadvantaged Businesses
- 5 percent to Women-Owned Small Businesses
- 3 percent to Service-Disabled Veteran-Owned Small Businesses
- 3 percent to HUBZone Small Businesses

Federal agencies have a strong incentive to fulfill these contracting goals. You should apply for those SBA-Certified and Self-Certified programs for which you qualify to take advantage of contracting opportunities.

demonstrate economic disadvantage in accordance with the requirements set forth in the final rule. For additional information, visit www.sba.gov/wosb.

Large prime contractors must also establish a subcontracting goal for Woman-Owned Small Businesses in their Subcontracting Plans. These subcontracting goals are reviewed at time of proposal by both the contracting officer and the SBA prior to the award of a contract.

GETTING STARTED IN CONTRACTING

Once you have identified the important information regarding your business, it is time to start the process of procuring a government contract.

1. Identify your DUNS (Data Universal Numbering System) Number

To register your business, obtain a DUNS number used to identify and track millions of businesses. You can obtain your free DUNS number when registering with the System for Award Management. Log on to www.sam.gov for more information or by contacting Dun & Bradstreet at www.dnb.com.

2. Identify your EIN (Employer Identification Number)

An EIN, otherwise known as a federal tax identification number, is generally required of all businesses. For more information, go to www.irs.gov.

3. Identify your NAICS (North American Industry Classification) codes

The NAICS codes are used to classify the industry a particular business occupies. You will need at least one NAICS code to complete your registration, but be sure to list as many as apply. You may also add or change NAICS codes at any time. Visit www.census.gov/eos/www/naics/ to find NAICS codes.

4. Identify your SIC (Standard Industrial Classification) codes

The SIC codes are four-digit numbers that are used to classify the industry a particular business occupies. While NAICS codes have largely replaced SIC codes, you will still need to provide your SIC code. SIC codes can be found at www.osha.gov/pls/imis/sicsearch.html.

5. Register with the System for Award Management (SAM), formerly the Central Contractor Registration (CCR)

The SAM is an online federal government maintained database of companies wanting to do business with the federal government. Agencies search the database for prospective vendors. Register at www.SAM.gov.

After completing registration, you will be asked to enter your small business profile information through the SBA Supplemental Page. The information will be displayed in the Dynamic Small Business Search.

Creating a profile in SAM and keeping it current ensures your firm has access to federal contracting opportunities. Entering your small business profile, including your business information and key word description, allows contracting officers, prime contractors, and buyers from state and local governments to learn about your company.

6. Register with the GSA Schedule

The GSA (General Services Administration) Multiple Award Schedule (aka Federal Supply Schedule) is used by GSA to establish long-term, government-wide contracts with commercial firms. Once these contracts are established, government agencies can order the supplies and services they need directly from the firms through the use of an online shopping tool. Becoming a GSA schedule contractor increases your opportunity for contracts across all levels of government. Businesses interested in becoming GSA schedule contractors should review the information available at www.gsa.gov/schedules.

7. Make Sure Your Business is Financially Sound

This critical step is absolutely necessary to make sure that your business is financially prepared for the journey ahead. Even if you are able to obtain a government contract, you will not be receiving all of the money at once. It helps to have a clear plan of how your business will stage the benefits of the contract.

8. Search Federal Business Opportunities (FedBizOpps) for Contracting Opportunities

FedBizOpps, is an online service operated by the federal government that announces available business opportunities. FedBizOpps helps identify the needs of federal agencies and available contracting opportunities. To begin searching for contracting opportunities, go to www.fbo.gov.

9. Marketing Your Business

Registering your business is not enough to obtain a federal contract; you will need to market your business to attract federal agencies. Tips for good marketing are:

- Determine which federal agencies buy your product or service, and get to know them;
- Identify the contracting procedures of those agencies;
- Focus on opportunities in your niche and prioritize them.
- Although not required, you may want to obtain a PSC (Product Services Code) and/or a FSC (Federal Supply Classification). These codes provide additional information about the services and products your business offers.

ADDITIONAL PROCUREMENT RESOURCES

The following federal procurement resources may also be of assistance:

- **The Certificates of Competency (CoC) program** allows a small business, which is the apparent successful offeror, to appeal a contracting officer's non-responsibility determination that it is unable to fulfill the requirements of a specific government contract. The SBA will conduct a detailed review of the firm's technical and financial capabilities to perform on the contract. If the business demonstrates the capability to perform, the SBA issues a Certificate of Competency to the contracting officer, requiring award of that contract to the small business.
- **Procurement Center Representatives (PCR) and Commercial Marketing Representatives (CMR):** PCRs work to increase the small business share of federal procurement awards. CMRs offer many services to small businesses, including counseling on how to obtain subcontracts. To find a PCR or CMR near you, go to www.sba.gov/content/procurement-center-representatives.
- **PTACs (Procurement Technical Assistance Centers):** PTACs provide assistance to businesses that want to sell products and services to federal, state, and/or local government. To find a PTAC in your state, go to www.dla.mil/SmallBusiness/Pages/ptap.aspx.
- **Department of Defense** (The DoD is the largest purchaser of goods from small businesses): www.acq.osd.mil/osbp/
- **Office of Federal Procurement Policy:** www.whitehouse.gov/omb/procurement_default
- **Acquisition Forecast:** www.acquisition.gov/comp/procurement_forecasts/index.html
- **Federal Supply Schedule (FSS):** www.gsa.gov
- **GSA Center for Acquisition Excellence:** www.gsa.gov/portal/content/103487



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SBA DISASTER ASSISTANCE

Knowing the Types of Assistance Available for Recovery



The disaster program is SBA's largest direct loan program, and the only SBA program for entities other than small businesses. SBA is responsible for providing affordable, timely and accessible financial assistance to homeowners, renters, non-farm businesses of all sizes and private, nonprofit organizations following declared disasters.

The SBA is authorized by the Small Business Act to make two types of disaster loans:

Physical Disaster Loans

Physical Disaster Loans are the primary source of funding for permanent rebuilding and replacement of uninsured or underinsured disaster-caused damages to privately-owned real and/or personal property. SBA's physical disaster loans are available to homeowners, renters, businesses of all sizes and private nonprofit organizations of all sizes. A homeowner may apply for a loan of up to \$200,000 to repair or replace the primary residence to its pre-disaster condition. Homeowners

or renters may apply for a loan up to \$40,000 to help repair or replace personal property, such as clothing, furniture or automobiles, lost in the disaster. Businesses and private, nonprofit organizations of any size may apply for a loan up to \$2 million (actual loan amounts are based on the amount of uncompensated damage) to repair or replace real property, machinery, equipment, fixtures, inventory and leasehold improvements.

The SBA may increase a loan up to 20 percent of the total amount of disaster damage to real estate as verified by SBA to make improvements that protect the property from similar future disasters.

Economic Injury Disaster Loans

Economic Injury Disaster Loans provide the necessary working capital after a declared disaster until normal operations resume. Small businesses, small agricultural cooperatives, small businesses engaged in aquaculture (fisheries, for example) and private nonprofit organizations of all sizes are eligible to apply for the EIDL, regardless of whether there was any physical

damage. The loan limit is \$2 million. The EIDL helps small businesses meet ordinary and necessary operating expenses as they recover from a disaster. The limit for physical and EIDL loans combined is \$2 million.

The Military Reservists Economic Injury Disaster Loan is a working capital loan for small businesses facing financial loss when the owner or an essential employee is called up to active duty in their role as a military reservist. The loan limit is \$2 million and the business can use the funds to cover operating expenses until the essential employee or business owner is released from active duty.

The SBA can only approve disaster loans to applicants having an acceptable credit history and repayment ability. The terms of each loan are established in accordance with each borrower's ability to repay. The law gives SBA several powerful tools to make disaster loans affordable: low-interest rates (around 4 percent), long-terms (up to 30 years), and refinancing of prior liens (in some cases). As required by law, the interest rate for each loan is based on



SBA's determination of whether the applicant has credit available elsewhere -- the ability to borrow or use their own resources to recover from the disaster.

More information on all of SBA's disaster assistance programs, including information for military reservists, is available at www.sba.gov/disaster.

Disaster Preparedness

Recovering from a disaster doesn't begin with clearing the debris and returning to work. Imagine stepping into your store, or restaurant, or the office where you run your business, a day or two after the fire has been contained, the tornado has passed, or floodwaters have receded. First come the questions: "How much will it cost to rebuild? Will my insurance cover all this? How will I pay my employees and vendors and cover the bills during the recovery phase?" Before a disaster strikes is a good time to start, or update and test your business continuity plan. And while SBA disaster loans go a long way toward revitalizing communities devastated by the economic fallout that follows disasters, with a solid preparedness plan in place, your business will be able to recover sooner, without taking on new debt.

Assessing your risks and needs are an important first step in developing

your business continuity strategy. The American Red Cross' Ready Rating™ program (www.readyrating.org) is a free online tool that helps businesses get prepared for disaster and other emergencies. With Ready Rating you can evaluate your level of disaster readiness, and you'll get customized feedback on how to establish or expand your disaster plan.

Another useful site provided by FEMA -- Ready.gov (www.ready.gov) -- provides practical disaster preparedness tips and checklists for homeowners, renters and businesses. SBA has teamed up with Agility Recovery Solutions to offer business continuity strategies through the "PrepareMyBusiness" website (www.preparemybusiness.org) and monthly disaster planning webinars. Previous topics -- presented by experts in their fields -- have included crisis communications, testing the preparedness plan, and using social media to enhance small business recovery. At the website you can sign up for future webinars, view previous webinars, and download checklists that give you tips on risk assessment, evacuation plans and flood preparedness, that will help you develop a solid business continuity plan.

Meanwhile, here are a few preparedness tips to consider:

- **Review Your Insurance Coverage.** Contact your insurance agent to find out if your coverage is right for your business and make sure you understand the policy limits. Ask about Business Interruption Insurance, which compensates you for lost income and covers operating expenses if your company has to temporarily shut down after a disaster.
- **Establish a solid supply chain.** If all your vital external vendors and suppliers are local and if the disaster is significantly widespread, you'll all be in the same boat, struggling to recover. It's a good idea to diversify your list of vendors for key supplies to companies outside your area or internationally, if possible. Create a contact list for important contractors and vendors you plan to use in an emergency and find out if those suppliers have a recovery plan in place. Keep this list with other documents filed in a place that's accessible, and also at a protected off-site location.
- **Plan for an alternate location.** Do some research well in advance of the disaster for several alternative places to relocate your company in the event a disaster forces you to shut down indefinitely. Some options include contacting a local real estate agent to get a list of available vacant office space. Make an agreement with a neighboring business to share office space if disaster strikes. If possible, make plans for employees to telecommute until the office has been rebuilt.

The financial and emotional cost of rebuilding a business after a disaster can be overwhelming. However, with a business continuity plan in place, you'll be able to rebound and reopen quickly, and in a better position to contribute to the economic recovery of your community.

As small businesses are leading America's economic recovery, many of them are investing time and money into their plans to grow and create jobs. Developing a strong disaster preparedness plan should be a critical and integral piece of those efforts. Planning for a disaster is the best way of limiting its effects.

ADVOCACY AND OMBUDSMAN

Watching Out for the Interests of Small Businesses



OFFICE OF ADVOCACY

The SBA's Office of Advocacy, the "small business watchdog" of the government, examines the role and status of small business in the economy and independently represents the views of small business to federal agencies, Congress, the president and federal appellate courts as friends of the court. The advocacy office compiles and interprets statistics on small business and is the primary entity within the federal government to disseminate small business data.

Headed by the chief counsel for advocacy, the office also funds outside research of small business issues and produces numerous publications to inform policy makers about the important role of small businesses in the economy and the impact of government policies on small businesses. In addition, the office

monitors federal agency compliance with the Regulatory Flexibility Act – the law that requires agencies to analyze the impact of their proposed regulations on small entities (including small businesses, small governmental jurisdictions and small nonprofit organizations), and consider regulatory alternatives that minimize the economic burden on small entities.

Advocacy's mission is enhanced by a team of regional advocates, located in the SBA's 10 regions. They are Advocacy's direct link to small business owners, state and local government entities, and organizations that support the interests of small entities. The regional advocates help identify regulatory concerns of small business by monitoring the impact of federal and state policies at the grassroots level.

Learn more about the Office of Advocacy at www.sba.gov/advocacy.

OFFICE OF THE NATIONAL OMBUDSMAN

The Office of the National Ombudsman (ONO) assists small businesses when they experience excessive or unfair Federal agency enforcement actions. As required under the Small Business Regulatory Enforcement Fairness Act, ONO works with all Federal regulatory agencies to ensure small businesses are provided with a means to comment on the enforcement actions conducted by such agencies. Enforcement actions include audits, on-site inspections, implementation or changes to regulations and other enforcement related activities by Federal agency personnel.

The National Ombudsman receives comments from small business owners, nonprofit organizations and small government entities regarding regulatory enforcement actions by Federal agencies. Comments received from small businesses are forwarded to Federal agencies for a high level review. Federal agencies are requested to consider the fairness of their enforcement action. In some cases, fines and/or penalties have been lowered or eliminated, and decisions and agency actions have been changed in favor of the small business owners. The National Ombudsman also coordinates and annually reports to Congress on the activities, findings and recommendations of 10 Regional Regulatory Fairness Boards that meet regularly to address comments about Federal regulations affecting small businesses.

To request help, send the National Ombudsman a complete Federal Agency Comment Form. The Comment Form and other information about the office may be obtained online at www.sba.gov/ombudsman; or by fax at 202-481-5719.

Learn more about the National Ombudsman at www.sba.gov/ombudsman or call 202-205-2417.



ADDITIONAL RESOURCES

Taking Care of Startup Logistics



Even if you are running a small home-based business, you will have to comply with many local, state and federal regulations. Avoid the temptation to ignore regulatory details. Doing so may avert some red tape in the short term, but could be an obstacle as your business grows. Taking the time to research the applicable regulations is as important as knowing your market. Bear in mind that regulations vary by industry. If you're in the food-service business, for example, you will have to deal with the health department. If you use chemical solvents, you will have environmental compliances to meet. Carefully investigate the regulations that affect your industry. Being out of compliance could leave you unprotected legally, lead to expensive penalties and jeopardize your business.

BUSINESS LICENSES

There are many types of licenses, both state and local as well as professional. Depending on what you do and where you plan to operate, your business may be required to have various state and/or municipal licenses, certificates or permits.

Licenses are typically administered by a variety of state and local departments. Consult your state or local government for assistance.

North Dakota Secretary of State

800-352-0867 or 701-328-2900
www.nd.gov/sos

North Dakota Attorney General's Office

701-328-2210
www.ag.state.nd.us

North Dakota Department of Health

701-328-1291
www.ndhealth.gov/foodlodging/

Directory of Business Licenses, NDSU Extension Service

<http://www.ag.ndsu.edu/ccv/storage/publications/business-reports-forms-and-licenses-required-in-the-state-of-north-dakota>

Directory of Boards and Commissions

701-328-2937
www.governor.nd.gov/boards/

City and County Auditors

Contact the city auditor for information on business licenses or permits and zoning ordinances applying to businesses within city limits. Contact the county auditor for permits and zoning ordinances applying to businesses outside city limits.

FICTITIOUS BUSINESS NAME

Registering your business name, after doing a search to make sure that it is not already in use, protects you from others who might want to use the same name. For more information, contact the county clerk's office in the county where your business is based.

If you are a corporation, you'll need to check with the state.

North Dakota Secretary of State

800-352-0867 or 701-328-2900
www.nd.gov/sos

BUSINESS INSURANCE

Like home insurance, business insurance protects your business against fire, theft and other losses. Contact your insurance agent or broker. It is prudent for any business to purchase a number of basic types of insurance. Some types of coverage are required by law, others simply make good business sense. The types of insurance listed below are among the most commonly used and are merely a starting point for evaluating the needs of your business.

Liability Insurance – Businesses may incur various forms of liability in conducting their normal activities. One of the most common types is product liability, which may be incurred when a customer suffers harm from using the product. There are many other types of liability, which are frequently related to specific industries. Liability law is constantly changing. An analysis of your liability insurance needs by a competent professional is vital in determining an adequate and appropriate level of protection for your business.

Property – There are many different types of property insurance and levels of coverage available. It is important to determine the property insurance you need to ensure the continuation of your business and the level of insurance you need to replace or rebuild. You must also understand the terms of the insurance, including any limitations or waivers of coverage.

Business Interruption – While property insurance may pay enough to replace damaged or destroyed equipment or buildings, how will you pay costs such as taxes, utilities and other continuing expenses during the period between when the damage occurs and when the property is replaced? Business Interruption (or "business income") insurance can provide sufficient funds to pay your fixed expenses during a period of time when your business is not operational.

“Key Man” – If you (and/or any other individual) are so critical to the operation of your business that it cannot continue in the event of your illness or death, you should consider “key man” insurance. This type of policy is frequently required by banks or government loan programs. It also can be used to provide continuity of operations during a period of ownership transition caused by the death, incapacitation or absence due to a Title 10 military activation of an owner or other “key” employee.

Automobile – It is obvious that a vehicle owned by your business should be insured for both liability and replacement purposes. What is less obvious is that you may need special insurance (called “non-owned automobile coverage”) if you use your personal vehicle on company business. This policy covers the business’ liability for any damage which may result from such usage.

Officer and Director – Under most state laws, officers and directors of a corporation may become personally liable for their actions on behalf of the company. This type of policy covers this liability.

Home Office – If you are establishing an office in your home, it is a good idea to contact your homeowners’ insurance company to update your policy to include coverage for office equipment. This coverage is not automatically included in a standard homeowner’s policy.

TAXES

Taxes are an important and complex aspect of owning and operating a successful business. Your accountant, payroll person, or tax adviser may be very knowledgeable, but there are still many facets of tax law that you should know. The Internal Revenue Service is a great source for tax information. Small Business/Self-Employed Tax Center: www.irs.gov/businesses/small/index.html.

When you are running a business, you don’t need to be a tax expert. However, you do need to know some tax basics. The IRS Small Business/Self-Employed Tax Center gives you the information you need to stay tax compliant so your business can thrive.

For Small Business Forms and Publications visit: www.irs.gov/businesses/small/article.html.

FEDERAL PAYROLL TAX (EIN NUMBERS)

An Employer Identification Number (EIN), also known as a Federal Employer Identification Number (FEIN), is used to identify a business entity. Generally, businesses need an EIN to pay federal withholding tax.

You may apply for an EIN in various ways, one of which is to apply online at www.irs.gov/businesses/small/article/0,,id=102767,00.html. This is a free service offered by the Internal Revenue Service.

Call 800-829-1040 if you have questions. You must check with your state to determine if you need a state number or charter.

FEDERAL SELF-EMPLOYMENT TAX

Every employee must pay Social Security and Medicare taxes. If you are self-employed, your contributions are made through the self-employment tax.

The IRS has publications, counselors and workshops available to help you sort it out. For more information, contact the IRS at 800-829-1040 or www.irs.gov.

SALES TAX EXEMPTION CERTIFICATE

If you plan to sell products, you will need a Sales Tax Exemption Certificate. It allows you to purchase inventory, or materials, which will become part of the product you sell, from suppliers without paying taxes. It requires you to charge sales tax to your customers, which you are responsible for remitting to the state. You will have to pay penalties if it is found that you should have been taxing your products and now owe back taxes to the state. For information on sales tax issues, contact your state government.

North Dakota State Tax Department

877-328-7088

www.nd.gov/tax

FEDERAL INCOME TAX

Like the state income tax, the method of paying federal income taxes depends upon your legal form of business.

Sole Proprietorship: You must file IRS Federal Form Schedule C along with your personal Federal Income Tax return (Form 1040) and any other

applicable forms pertaining to gains or losses in your business activity.

Partnership: You must file a Federal Partnership return (Form 1065). This is merely informational to show gross and net earnings of profit and loss. Also, each partner must report his share of partnership earnings on his individual Form 1040 based on the information from the K-1 filed with the Form 1065.

Corporation: You must file a Federal Corporation Income Tax return (Form 1120). You will also be required to report your earnings from the corporation including salary and other income such as dividends on your personal federal income tax return (Form 1040).

FEDERAL PAYROLL TAX

Federal Withholding Tax: Any business employing a person must register with the IRS and acquire an EIN and pay federal withholding tax at least quarterly. File Form SS-4 with the IRS to obtain your number and required tax forms. Call 800-829-3676 or 800-829-1040 if you have questions.

IRS WEB PRODUCTS FOR SMALL BUSINESSES

For the most timely and up-to-date tax information, go to www.irs.gov/businesses/small/index.html.

VIRTUAL SMALL BUSINESS WORKSHOP

www.tax.gov/virtualworkshop/

The Virtual Small Business Tax Workshop is the first of a series of video products designed exclusively for small business taxpayers. This workshop helps business owners understand federal tax obligations. The Virtual Small Business Workshop is available on CD at www.irs.gov/businesses/small/article/0,,id=101169,00.html and online www.irsvideos.gov/virtualworkshop/ if you are unable to attend a workshop in person. Small business workshops are designed to help the small business owner understand and fulfill their federal tax responsibilities. Workshops are sponsored and presented by IRS partners who are federal tax specialists.

Workshop topics vary from a general overview of taxes to more specific topics such as recordkeeping and retirement plans. Although most are free, some workshops have

fees associated with them. Fees for a workshop are charged by the sponsoring organization, not the IRS.

The IRS's Virtual Small Business Tax Workshop is an interactive resource to help small business owners learn about their federal tax rights and responsibilities. This educational product, available online and on CD consists of nine stand-alone lessons that can be selected and viewed in any sequence. A bookmark feature makes it possible to leave and return to a specific point within the lesson. Users also have access to a list of useful online references that enhance the learning experience by allowing them to view references and the video lessons simultaneously.

Tax Calendar for Small Businesses and Self-Employed (Publication 1518) www.irs.gov/businesses/small/article/0,,id=176080,00.html.

The Tax Calendar for Small Businesses and Self-Employed contains useful information on general business taxes, IRS and SSA customer assistance, electronic filing and paying options, retirement plans, business publications and forms, common tax filing dates, and federal legal holidays.

Taxpayer Advocate Service

The Taxpayer Advocate Service is an independent organization within the IRS, headed by the National Taxpayer Advocate, that helps individual and business taxpayers resolve problems with the IRS. Local case advocates listen to your point of view, work with you to address your concerns, and see your case through to an appropriate resolution.

Local Taxpayer Advocate Service Office

657 2nd Ave. N., Rm. 244
Fargo, ND 58102
701-239-5141 or 877-777-4778 Toll Free
701-239-5323 Fax

SOCIAL SECURITY CARDS

All employees must have a Social Security card. It must be signed by its owner, and you should always ask to see and personally record the Social Security number. Failure to do so may cause your employee to lose benefits and considerable trouble for yourself in back tracking to uncover the error.

Each payday, your employees must receive a statement from you telling them what deductions were made and how many dollars were taken out for each legal purpose. This can be presented in a variety of ways, including on the check as a detachable portion

or in the form of an envelope with the items printed and spaces for dollar deductions to be filled in.

EMPLOYEE CONSIDERATIONS Taxes

If you have any employees, including officers of a corporation but not the sole proprietor or partners, you must make periodic payments towards, and/or file quarterly reports about payroll taxes and other mandatory deductions. You may contact these government agencies for information, assistance and forms.

Social Security Administration

800-772-1213
www.ssa.gov

Social Security's Business Services Online

The Social Security Administration now provides free electronic services online at www.socialsecurity.gov/employer/. Once registered for Business Services Online, business owners or their authorized representative can:

- file W-2s online; and
- verify Social Security numbers through the Social Security Number Verification Service, used for all employees prior to preparing and submitting Forms W-2.

Federal Withholding

U.S. Internal Revenue Service
800-829-1040
www.irs.gov

Health Insurance

Compare plans in your area at www.healthcare.gov.

Employee Insurance

If you hire employees you may be required to provide unemployment or workers' compensation insurance.

Job Services of North Dakota

707-328-2825
www.jobsnd.com

WORKPLACE DISABILITY PROGRAMS

Americans with Disabilities Act (ADA): For assistance with the ADA, call 800-669-3362 or visit www.ada.gov.

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

The Federal Immigration Reform and Control Act of 1986 requires employers to verify employment eligibility of new employees. The law obligates an employer to process Employment Eligibility Verification Form I-9. The U.S. Citizenship and Immigration

Services Office of Business Liaison offers a selection of information bulletins and live assistance through the Employer Hotline. For forms call 800-870-3676, for the Employer Hotline call 800-357-2099.

E-Verify: Employment Eligibility Verification

E-Verify, operated by the Department of Homeland Security in partnership with the Social Security Administration, is the best-and quickest-way for employers to determine the employment eligibility of new hires. It is a safe, simple, and secure Internet-based system that electronically verifies the Social Security number and employment eligibility information reported on Form I-9. E-Verify is voluntary in most states and there is no charge to use it.

If you are an employer or employee and would like more information about the E-Verify program, please visit www.dhs.gov/E-Verify or contact our Customer Support staff: 1-888-464-4218 Monday – Friday 8 a.m. – 5 p.m.
E-mail: e-verify@dhs.gov

SAFETY AND HEALTH REGULATIONS

All businesses with employees are required to comply with state and federal regulations regarding the protection of employees. The Occupational Safety and Health Administration provides information on the specific health and safety standards adopted by the U.S. Department of Labor. Call 1-800-321-6742 or visit

www.osha.gov.

North Dakota Workforce Safety & Insurance

800-777-5033
www.workforcesafety.com

BUILDING CODES, PERMITS AND ZONING

It is important to consider zoning regulations when choosing a site for your business. You may not be permitted to conduct business out of your home or engage in industrial activity in a retail district. Contact the business license office in the city or town where the business is located.

BAR CODING

Many stores require bar coding on packaged products. Many industrial and manufacturing companies use bar

coding to identify items they receive and ship. There are several companies that can assist businesses with bar-coding needs. You may want to talk with an SBDC, SCORE or WBC counselor for more information.

Federal Registration of Trademarks and Copyrights

Trademarks or service marks are words, phrases, symbols, designs or combinations thereof that identify and distinguish the source of goods. Trademarks may be registered at both the state and federal level. To register a federal trademark, contact:

U.S. Patent and Trademark Office

P.O. Box 1450
Alexandria, VA 22313-1450
800-786-9199
www.uspto.gov

Trademark Information Hotline
703-308-9000

STATE REGISTRATION OF A TRADEMARK

Trademarks and service marks may be registered in a state. The state registered trademarks can be checked from the Secretary of State's Business Record Search at www.nd.gov/sos or contact the Secretary of State at 800-352-0867.

The federal trademark registry can be accessed on the internet at www.uspto.gov/main/trademarks.htm or a search can be conducted at:

UND Patent and Trademark Depository Library

Chester Fritz Library
3501 University Ave., Rm. 130A, 1st Fl. W.
Grand Forks, ND
701-777-4491 for patent and trademark search assistance
library.und.edu/government-documents/patents.php

Caution: Federally registered trademarks may conflict with and supersede state registered business and product names.

Patents

A patent is the grant of a property right to the inventor by the U.S. Patent and Trademark Office. It provides the owner with the right to exclude others from making, using, offering for sale or selling the patented item in the United States.

Additional information is provided in the publications, General Information Concerning Patents and other publications distributed through the U.S. Patent and Trademark Office. For more information, contact the:

BUSINESS ORGANIZATION: Choosing Your Business Structure

There are many forms of legal structure you may choose for your business. Each legal structure offers organizational options with different tax and liability issues. We suggest you research each legal structure thoroughly and consult a tax accountant and/or attorney prior to making your decision.

The most common organizational structures are sole proprietorships, general and limited partnerships and limited liability companies.

Each structure offers unique tax and liability benefits. If you're uncertain which business format is right for you, you may want to discuss options with a business counselor or attorney.

Sole Proprietorship

One person operating a business as an individual is a sole proprietorship. It's the most common form of business organization. Profits are taxed as income to the owner personally. The personal tax rate is usually lower than the corporate tax rate. The owner has complete control of the business, but faces unlimited liability for its debts. There is very little government regulation or reporting required with this business structure.

General Partnership

A partnership exists when two or more persons join together in the operation and management of a business. Partnerships are subject to relatively little regulation and are fairly easy to establish. A formal partnership agreement is recommended to address potential conflicts such as: who will be

responsible for performing each task; what, if any, consultation is needed between partners before major decisions, and what happens when a partner dies. Under a general partnership each partner is liable for all debts of the business. Profits are taxed as income to the partners based on their ownership percentage.

Limited Partnership

Like a general partnership, a limited partnership is established by an agreement between two or more persons. However, there are two types of partners.

- A general partner has greater control in some aspects of the partnership. For example, only a general partner can decide to dissolve the partnership. General partners have no limits on the dividends they can receive from profit so they incur unlimited liability.
- Limited partners can only receive a share of profits based on the proportional amount of their investment, and liability is similarly limited in proportion to their investment.

LLCs and LLPs

The limited liability company is a relatively new business form. It combines selected corporate and partnership characteristics while still maintaining status as a legal entity distinct from its owners. As a separate entity it can acquire assets, incur liabilities and conduct business. It limits liability for the owners. The limited liability partnership is similar to the LLC, but it is for professional organizations.

U.S. Patent and Trademark Office
800-786-9199 • www.uspto.gov

Copyrights

Copyrights protect original works of authorship including literary, dramatic, musical and artistic, and certain other intellectual works. Copyrights do not protect facts, ideas and systems, although it may protect the way these things are expressed. For general information contact:

U.S. Copyright Office

U.S. Library of Congress
James Madison Memorial Building
Washington, DC 20559
202-707-9100 - Order Line
202-707-3000 - Information Line
www.copyright.gov

OTHER ASSISTANCE

OTHER SOURCES OF ASSISTANCE

Other Small Business Resource Centers

ENTREPRENEUR CENTERS OF NORTH DAKOTA (ECND)

1200 Memorial Hwy.
Bismarck, ND 58506
701-328-5850 or 800-544-4674 Toll Free
www.ecnd.net
The Entrepreneur Centers of North Dakota is an effort of local, state and federal resource providers who offer access to over twenty financing programs and a network of organizations who offer counseling, training, and assistance to North Dakota's start-up and existing entrepreneurs.

CENTER FOR INNOVATION

Ina Mae Rude Entrepreneur Center
University of North Dakota
4200 James Ray Dr.
Grand Forks, ND 58202
701-777-3132
www.innovators.net
The Center provides assistance to innovators, entrepreneurs, and researchers to launch new ventures, commercialize new technologies, and secure access to capital from private and public sources.

State/County/Local Sources of Assistance

BANK OF NORTH DAKOTA

1200 Memorial Hwy.
Bismarck, ND 58504
701-328-5600 or 800-472-2166 Toll Free
bnd@nd.gov
www.banknd.nd.gov
Located in Bismarck, this is the only state-owned bank in the nation. Bank of North Dakota (BND) offers a number of programs that make financing easier to access, and less expensive. BND's business financing programs include a variety of small business loan and incentive programs.

NORTH DAKOTA DEPARTMENT OF COMMERCE – DEVELOPMENT FUND

1600 E. Century Ave., Ste. 2
Bismarck, ND 58503
701-328-5300
plucy@nd.gov
www.business.nd.gov
The North Dakota Development Fund provides "gap financing" through loans and equity investments not available from most conventional lenders and is available to any primary-sector business with the exception of production agriculture. The Development Fund also administers the Regional Rural Revolving Loan Fund, which provides funding for primary-sector projects located in a community of less than 8,000 in population or located more than five

miles outside the city limits. The fund is a secondary source of financing, subordinate to private sources. If a business can't handle added debt, the Development Fund can take an equity financing position.

THE DAKOTA MANUFACTURING EXTENSION PARTNERSHIP

1929 N. Washington St., Ste. M
Bismarck, ND 58501
701-328-5476 or 866-297-8250
www.dakotamep.com
The Dakota Manufacturing Extension Partnership is a private-public partnership providing assistance to companies in North Dakota and South Dakota, which are committed to becoming more competitive and profitable. Dakota MEP provides free assistance to manufacturers through the North Dakota Small Business Development Center in areas of manufacturing processes; methodologies; management of workflow; supply and distribution chains; and location of technical assistance. Dakota MEP also provides expert business counseling and other service offerings on a contract basis to manufacturers.

NORTH DAKOTA TRADE OFFICE

811 2nd Ave. N., Ste. 284
Fargo, ND 58102
701-231-1150
www.ndto.com
The North Dakota Trade Office and its network of export service providers offer assistance in every step of the export process, including international market research for North Dakota companies, helping them identify export markets best suited for their products and services. Members of the Trade Office staff are located in Bismarck, Fargo, Dickinson and Grand Forks.

U.S. EXPORT ASSISTANCE CENTER

811 2nd Ave. N.
Fargo, ND 58102
701-552-0792
heather.ranck@trade.gov
www.export.gov/northdakota/
The Export Assistance Center offers assistance in identifying and evaluating international partners, navigating international documentation challenges, creating market entry strategies, and other export-related guidance.

U.S.D.A. RURAL DEVELOPMENT

220 E. Rosser, Rm. 211
Bismarck, ND 58501
701-530-2037
info@nd.usda.gov
www.rurdev.usda.gov/nd
USDA Rural Development is committed to helping improve the economy and quality of life in North Dakota. Through their economic development programs they provide loans to businesses through banks and community-managed lending pools. They also offer public facilities and services, and provide technical assistance to help

communities undertake empowerment programs.

GRIGGS-STEELE EMPOWERMENT ZONE

602 Lincoln Ave. S.
Finley, ND 58230
701-524-2240
www.griggs-steeleez.org
The Griggs-Steele Empowerment Zone includes all of Steele County and one census tract in Griggs County which includes the communities of Cooperstown, Hannaford and Binford. They can assist with starting a new business or expanding an existing business in the Empowerment Zone.

RURAL ECONOMIC AREA PARTNERSHIP ZONES (REAP ZONES) FOR NORTH DAKOTA

The REAP Zones provide equity and/or loan opportunities to businesses in their area. The Center of North American Coalition (CONAC) REAP Zone – includes the counties of Towner, Benson, Pierce, Bottineau, Rolette and McHenry and the Spirit Lake and Turtle Mountain Indian Reservations.

The Southwest (SW) REAP Zone includes the counties of Dunn, Stark, Hettinger, Adams, Bowman, Slope, Golden Valley, Billings, and part of the Three Affiliated Tribes Indian Reservation.

Contact:

JIM BELOQUIST

701-302-0524
jboptions@midco.net

NORTH DAKOTA REGIONAL PLANNING COUNCILS

www.business.nd.gov/searchcenter/regional/
There are regional councils located in the eight planning regions of the state. These offices provide a broad range of services to businesses in their area including technical assistance, financing, housing and other needs for North Dakota communities and individuals.

LAKE AGASSIZ REGIONAL COUNCIL

417 Main Ave.
Fargo, ND 58103
701-235-1197
irv@lakeagassiz.com
www.lakeagassiz.com

LEWIS & CLARK REGIONAL COUNCIL

200 1st Ave. N.W.
Mandan, ND 58554
701-667-7620
prechlin@lewisandclarkrdc.org
www.lewisandclarkrdc.org

NORTH CENTRAL PLANNING COUNCIL

P.O. Box 651
Devils Lake, ND 58301
701-662-8131
rickncpc@gondtc.com

RED RIVER REGIONAL COUNCIL

516 Cooper Ave., Ste. 101
Grafton, ND 58237
701-352-3550
jwangler@nd.gov
www.redriverrc.org

ROOSEVELT CUSTER REGIONAL COUNCIL

300 13th Ave. W., Ste. 3
Dickinson, ND 58601
701-483-1241
landblom@rooseveltcuster.com
www.rooseveltcuster.com

SOURIS BASIN PLANNING COUNCIL

P.O. Box 2024
Minot, ND 58702
701-839-6641
lyndsay@sourisbasin.org
www.sourisbasin.org

SOUTH CENTRAL DAKOTA REGIONAL COUNCIL

P.O. Box 903
Jamestown, ND 58402
701-952-8060
dkantrud@sdcrc.org
www.sdcrc.org

TRI-COUNTY REGIONAL DEVELOPMENT COUNCIL

P.O. Box 697
Williston, ND 58802
701-577-1358
everettee@ci.williston.nd.us

INSTITUTE FOR BUSINESS AND INDUSTRY DEVELOPMENT

701-328-9718
Kathleen.tweeten@ndsu.edu
www.ag.ndsu.edu/IBID/
The Institute for Business and Industry Development, sponsored by the North Dakota State University Extension Service, provides a wide range of service to communities and business to increase their ability to effectively compete, prosper and grow.

STROM CENTER FOR ENTREPRENEURSHIP AND INNOVATION

1679 6th Ave. W.
Dickinson, ND 58601
701-483-2756
info@stromcenter.com
www.stromcenter.com
Located at Dickinson State University, the Strom Center for Entrepreneurship and Innovation is home to a number of initiatives to promote economic development and stem out-migration through the support of entrepreneurial business ventures and individuals.

OTHER ASSISTANCE

North Dakota Chambers of Commerce

NORTH DAKOTA CoC

2000 Schafer St.
Bismarck, ND 58502
701-222-0929 or 800-382-1405
ndchamber@ndchamber.com
www.ndchamber.com

ASHLEY CoC

115 Main St. W.
Ashley, ND 58413
701-288-3247
ashleyedc@drtel.net
www.ashley-nd.com

BEACH AREA CoC

P.O. Box 757
Beach, ND 58621
701-872-3121
beachchamber@yahoo.com
www.beachnd.com

BELFIELD AREA CoC

P.O. Box 959
Belfield, ND 58622
701-575-8135
www.belfieldnd.com

BEULAH CoC

P.O. Box 730
Beulah, ND 58523
701-873-4585
chamber@westriv.com
www.beulahnd.org

BISMARCK-MANDAN AREA CoC

P.O. Box 1675
Bismarck, ND 58502-1675
701-223-5660
info@bismarckmandan.com
www.bismarckmandan.com

GREATER BOTTINEAU AREA CoC

519 Main St.
Bottineau, ND 58318-1202
701-228-3849
bcc@utma.com
www.bottineau.org

BOWMAN CoC

P.O. Box 1143
Bowman, ND 58623
701-523-5880
chamber@bowmannd.com
www.bowmannd.com

CANDO AREA CoC

P.O. Box 814
Cando, ND 58324-0814
701-968-4535
candochamber@candochamber.com
www.candochamber.com

CARRINGTON AREA CoC

871 Main St.
Carrington, ND 58421
701-652-2524
chambergal@daktel.com
www.cgtn-nd.com

CAVALIER AREA CoC

301 Division Ave. N.
Cavalier, ND 58220
701-265-8188
cacc@polarcomm.com
www.cavaliernd.com

CROSBY AREA CoC

P.O. Box 635
Crosby, ND 58730
701-965-5483
www.crosbynd.com

DEVILS LAKE AREA CoC

208 Hwy. 2 W.
Devils Lake, ND 58301
701-662-4903
chamber@gondtc.com
chamber.devilslakend.com

DICKINSON AREA CoC

314 3rd Ave. W.
Dickinson, ND 58601
701-225-5115
team@dickinsonchamber.org
www.dickinsonchamber.org

DRAYTON COMMUNITY CoC

P.O. Box 265
Drayton, ND 58225-0265
701-454-3474
chamber@draytonnd.com
www.draytonnd.com

ELLENDALE CoC

58 1st Ave. S.
Ellendale, ND 58436
701-349-4103
ellendalecivic@drtel.net
www.ellendalend.com

THE CHAMBER OF FARGO MOORHEAD WEST FARGO

202 First Ave. N.
Moorhead, MN 56560
218-233-1100
info@fmwfcchamber.com
www.fmwfcchamber.com

GARRISON CoC

P.O. Box 459
Garrison, ND 58540
701-463-2600
garrisoncity@rtc.coop
www.garrisonnd.com

GRAFTON AREA CoC

432 Hill Ave.
Grafton, ND 58237
701-352-0781
gracha@polarcomm.com
www.graftonchamber.com

THE CHAMBER GRAND FORKS

202 N. 3rd St.
Grand Forks, ND 58203
701-772-7271
info@gochamber.org
www.gochamber.org

HANKINSON COMMUNITY DEVELOPMENT CORPORATION

P.O. Box 250
Hankinson, ND 58041-0250
701-242-7292
gregg@hankinsonnd.com
www.hankinsonnd.com

HARVEY AREA CoC

120 W. 8th St., Ste. 3
Harvey, ND 58341
701-324-2604
harveychamber@gondtc.com
www.harveynd.com

HAZEN CoC

P.O. Box 423
Hazen, ND 58545
701-748-6848
hazenchamber@westriv.com
www.hazennd.org

HETTINGER AREA CoC

120 S. Main
Hettinger, ND 58639
701-567-2531
hettingerchamber@ndsupernet.com
www.hettingernd.com/Chamber.html

JAMESTOWN AREA CoC

120 2nd St. S.E.
Jamestown, ND 58401
701-252-4830
chamber@jamestownchamber.com
www.jamestownchamber.com

KENMARE ASSOCIATION OF COMMERCE

P.O. Box 324
Kenmare, ND 58746
701-385-4287
www.kenmarend.com

KILLDEER CoC

P.O. Box 64
Killdeer, ND 58640
701-764-5666

LANGDON AREA CoC

324 8th St.
Langdon, ND 58249
701-256-3079
langdonchamber@cityoflangdon.com
www.cityoflangdon.com

LINTON CoC

P.O. Box 493
Linton, ND 58552-0493
701-254-5324
lidcbek@bektel.com
www.lintonnd.org

MEDORA CoC

P.O. Box 186
Medora, ND 58645
701-623-4910
chamber@medorandchamber.com
www.medorandchamber.com

MINOT AREA CoC

1020 20th Ave. S.W.
Minot, ND 58702
701-852-6000
chamber@minotchamber.org
www.minotchamber.org

MOHALL CoC

P.O. Box 754
Mohall, ND 58761
701-756-6883
www.mohallndak.com

NEW ROCKFORD CoC

P.O. Box 67
New Rockford, ND 58356
701-947-2211
smithwarren.nr@gmail.com
www.cityofnewrockford.com

NEW TOWN CoC

P.O. Box 422
New Town, ND 58763
701-627-4812
ntchamb@rtc.coop
www.newtownchamber.com

OAKES AREA CoC

412 Main Ave.
Oakes, ND 58474-1637
701-742-3508
oakesnd@drtel.net
www.oakesnd.com/chamberofcommerce.php

RAY ASSOCIATION OF COMMERCE

P.O. Box 153
Ray, ND 58849
701-568-3315
www.raynd.com

REGENT BOOSTER CLUB

P.O. Box 26
Regent, ND 58650
701-563-4582

ROLLA CoC

P.O. Box 712
Rolla, ND 58367
701-477-5683
tmstar@utma.com
www.rolla.nd.utma.com

RUGBY CoC

224 Hwy. 2 S.W.
Rugby, ND 58368
701-776-5846
rugbychamber@gondtc.com
www.rugbynorthdakota.com

TIOGA CoC

P.O. Box 52
Tioga, ND 58852
701-664-2807
citytio@nccray.com

VALLEY CITY AREA CoC

250 W. Main St.
Valley City, ND 58072
701-845-1891
chamber@hellovalley.com
www.valleycitynd.com

OTHER ASSISTANCE

VELVA ASSOCIATION OF COMMERCE

P.O. Box 334
Velva, ND 58790
701-328-2029
velvand@srt.com
www.velvand.com

WAHPETON BRECKENRIDGE AREA CoC

118 N. 6th St.
Wahpeton, ND 58075
701-642-8744
info@wahpetonbreckenridgechamber.com
www.wahpetonbreckenridgechamber.com

WALHALLA AREA CoC

P.O. Box 34
Walhalla, ND 58282
701-549-3939
walcity@utma.com
www.walhalland.org

WATFORD CITY AREA CoC

P.O. Box 458
Watford City, ND 58854
701-570-5084
wcchamber@ruggedwest.com
www.watfordcitychamber.com

WILLISTON AREA CoC

10 Main St.
Williston, ND 58801
701-577-6000
wchamber@willistonchamber.net
www.willistonchamber.net

WISHEK ASSOCIATION OF COMMERCE

P.O. Box 341
Wishek, ND 58495
701-452-2567
htabek@bektel.com
www.wishek-nd.com

NORTH DAKOTA PROFESSIONAL AND TRADE ORGANIZATIONS

For a list of professional and trade organizations in North Dakota, visit the ND Chamber of Commerce website at www.ndchamber.com/grow-your-business/

Internet Resources

STATE OF NORTH DAKOTA NEW BUSINESS REGISTRATION WEBSITE

www.nd.gov/businessreg/
The topics addressed within this site will assist you in planning and establishing your business in North Dakota. You can get information about what you should do and what you need to do. This includes business planning, licensing, registering your business name, sales tax requirements, protecting your business and other state requirements.

Checklist to Starting a Business in North Dakota

The following general requirements may need to be addressed for most new businesses. Other requirements may also apply. It is recommended that your first contact is with the ND Secretary of State's office to determine if the business name is available.

NORTH DAKOTA SECRETARY OF STATE

www.nd.gov/sos
800-352-0867 or 701-328-4284

- Trade Name Registration – any person, corporation or limited liability company that uses a name other than the owner's or the true name of the organization is required to register their trade name (SFN 13401). A Fictitious Name Certificate must be submitted by a general or limited partnership (SFN 7006).
- A North Dakota corporation or Limited Liability Company (LLC) must file articles of incorporation/organization to acquire corporate or limited liability status.
- A North Dakota Limited Liability Partnership (LLP) or a Limited Liability Limited Partnership (LLLP) must file a registration to acquire limited liability status.
- Out-of-state businesses must register with the Secretary of State prior to transacting business in North Dakota or prior to acquisition of any license or permits.
- Any organization with a trademark or service mark may register that mark with the Secretary of State. The registration protects that trademark or service mark only in North Dakota. Federally registered trademarks may conflict with and supersede state registered business and product names. State registered trademarks can be checked by doing a records search at www.nd.gov/sos or by calling 1-800-352-0867. The federal trademark register can be accessed at www.uspto.gov/main/trademarks.htm or a search can be conducted by contacting the UND patent and Trademark Depository Library at 701-777-4888.

NORTH DAKOTA STATE TAX DEPARTMENT

- www.nd.gov/tax
877-328-7088 or taxinfo@nd.gov
- Sales & Use Tax – any business making taxable sales of tangible personal property or certain services to the end user is required to hold a North Dakota sales and use tax permit (form combined with Income Tax Withholding). Returns will be sent to permit holders and they must report quarterly even if no tax is due.
 - State Income Tax Reporting – income taxes will be levied by the State on the earnings of any business.
- If your business has employees:
- State Income Tax Withholding – an employer is required to withhold state income tax from wages paid to an employee if the employee performs services within North Dakota and wages

are subject to federal income tax. "Income Tax Withholding Return" (Form 306) must be filed for each quarter. "Application to Register for ND Income Tax Withholding" (Form 301) must be completed in advance of withholding.

INTERNAL REVENUE SERVICE (IRS)

www.irs.gov/smallbiz
800-829-1040

- Employer Identification Number (EIN) – also known as a federal tax identification number, it is used to identify a business entity. It is required if the business is formed as a partnership, corporation, LLC, or if the business has employees. You may apply for an EIN by telephone (800-829-4933), tax, mail, or online. (Form SS-4)
- Federal Income Tax – Schedule C for proprietors; Form 1065 for partnerships; Form 1120 for corporations; or 1120-S for S-corporations.
- Federal Self-Employment Tax – if you are self-employed, your Social Security and Medicare contribution is made through the federal self-employment tax (Schedule SE, Form 1040)

If your business has employees:

- Employee's Withholding – to know how much income tax to withhold from employee's wages, you should have each new employee complete an "Employee's Withholding Allowance Certificate" (Form W-4). A Form W-4 remains in effect until the employee gives you a new one.
- Employment Taxes – business owners are required to withhold federal income, Social Security, and Medicare taxes and report them on the "Employer's Quarterly Federal Tax Return" (Form 941).
- Federal Unemployment Tax Act (FUTA) – it is paid from the business owner's funds and reported on "Employer's Quarterly Federal Tax Return" (Form 941).

BUSINESS LICENSE INFORMATION

There are many types of licenses, both state and local as well as professional. Depending on what you do and where you plan to operate, your business may be required to have various state and/or municipal licenses or permits. For information on business reports, forms and licenses required in North Dakota, view the Directory of Business Licenses from the NDSU Extension Service – <http://www.ag.ndsu.edu/ccv/storage/publications/business-reports-forms-and-licenses-required-in-the-state-of-north-dakota/licenses-required-of-businesses-in-the-state-of-north-dakota>

CITY AND COUNTY AUDITORS

Contact the city and/or county auditor for information on local business licenses, permits, and zoning ordinances.

INSURANCE

Contact your local insurance agent for life, hazard, theft, liability, business interruption or other types of insurance to protect your business.

If your business has employees:

U.S. CITIZENSHIP & IMMIGRATION SERVICES

www.uscis.gov
800-357-2099

- Employment Eligibility Verification – business owners must verify that each new employee is legally eligible to work in the United States through a Form I-9.

SOCIAL SECURITY ADMINISTRATION

www.ssa.gov/pgm/business.htm
800-772-6270 or employerinfo@ssa.gov

- Wage Reporting – after the calendar year is over, you must furnish copies of Form W-2 "Wage and Tax Statement" to each employee to whom you paid wages during the year. You must also send copies to the Social Security Administration.

NORTH DAKOTA DEPARTMENT OF LABOR

www.nd.gov/labor
800-582-8032 or labor@nd.gov

- You should become familiar with North Dakota's labor laws which address items such as breaks, overtime, and deductions from pay. There are nine state and federal posters which North Dakota employers must post in an area readily accessible to all employees. They can be downloaded from the Department of Labor website.

JOB SERVICE OF NORTH DAKOTA

www.jobsnd.com
701-328-2825

- Unemployment Insurance – a "Report to Determine Liability" (SFN 41216) must be filed within 20 days after first employing workers to determine if you are required to have unemployment insurance.

NORTH DAKOTA WORKERS COMPENSATION

www.workforcesafety.com
800-777-5033

- Worker's Compensation Insurance – with certain exceptions, workers' compensation insurance must be carried to provide protection to employees injured in on-the-job accidents. "Application for Insurance" (SFN 5556).

NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES, CHILD SUPPORT ENFORCEMENT DIVISION

www.nd.gov/dhs/services/childsupport/
800-366-6888 or centralofficece@nd.gov

- New Hire Reporting Requirement – businesses must report each new hire within 20 days from the individual's first day of work (SFN 1018).



Meet Dan.

Dan is one of thousands of small business owners that need YOUR products and services.

Small Business Resource magazine is distributed to small business owners, providing information on lending, services, and solutions that help small business owners start and expand their businesses.

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...and they start their search in this magazine!